



Security Council

Sixty-seventh year

Provisional

6716th meeting

 Friday, 17 February 2012, 10 a.m.
 New York

<i>President:</i>	Mr. Menan	(Togo)
<i>Members:</i>	Azerbaijan	Mr. Musayev
	China	Mr. Wang Min
	Colombia	Mr. Osorio
	France	Mr. Bonne
	Germany	Mr. Berger
	Guatemala	Mr. Briz Gutiérrez
	India	Mr. Kumar
	Morocco	Mr. Loulichki
	Pakistan	Mr. Tarar
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Pankin
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

Reports of the Secretary-General on the Sudan

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

12-23459 (E)

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The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

The President (*spoke in French*): Under rule 37 of the Council's provisional rules of procedure, I invite the representative of the Sudan to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2012/97, which contains the text of a draft resolution submitted by the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

In favour:

Azerbaijan, China, Colombia, France, Germany, Guatemala, India, Morocco, Pakistan, Portugal, Russian Federation, South Africa, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in French*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2035 (2012).

I now give the floor to the representative of the Sudan.

Mr. Osman (Sudan) (*spoke in Arabic*): I thank you, Sir, for giving me the opportunity to address the Council at this meeting, which is of particular importance as the occasion for the renewal of the mandate of the Panel of Experts on Darfur. I shall make my statement brief and concise.

By participating in this meeting, I seek once again to reaffirm our determination and intention to achieve a final settlement of the conflict that began in 2003. We have had a number of successes in the peaceful settlement process laid out in the Doha Document for Peace in Darfur. The members of the Security Council are bearing witness to the onset of implementation of the Document by the Darfur

Regional Authority, which began its work just a few days ago.

I commend the various provisions of resolution 2035 (2012), reaffirming that the Darfur conflict cannot be resolved by military means. We have been convinced of that from the outset, as we reiterated to our brothers in South Sudan through the Comprehensive Peace Agreement ending the long-standing conflict there. We also recognize the Security Council's support for the efforts to achieve a comprehensive solution. While that support is certainly positive, we should not like to see it remain mere words on paper; it needs to lead to concrete action.

In that regard, I should like to refer to an incident that I reported to the Council, in which the Justice and Equality Movement (JEM) crossed the border into South Sudan equipped with logistics and weapons supplied by the Libyan regime. Our report was replete with details concerning the location of those forces in South Sudan. I was informed that a member of the Panel of Experts went to South Sudan, where the Government did not grant him the access he needed to pinpoint the location of the Libyan weapons. Regrettably, the Council failed to act on this matter.

I mention that incident because the JEM is the only armed force that remains active in Darfur and has not joined the peace process. Two of its leaders are now in South Sudan, and members of the Council are no doubt aware that they have launched a movement to overthrow the Government in Khartoum by armed force. I appeal to all Council members to act on the provisions of resolution 2035 (2012) and to translate them into sustained efforts to punish that movement. A number of resolutions have insisted that those who do not join the peace process will be penalized and held accountable for their refusal.

I wish to touch on two other issues. First, we are very optimistic with regard to the Regional Authority's activities, which will undoubtedly enjoy swift success. However, we need the Council's support to bring pressure to bear on the rebel groups that refuse to negotiate.

Secondly, I wish to reiterate that, as my brother the representative of Colombia is well aware, we intend to cooperate fully with him in order to facilitate the Panel of Experts' mission. I was therefore very surprised to find reference in the resolution to obstacles, including delays in the issuance of visas, and

other impediments to the Panel's fulfilment of its mandate. Such wording, copied from other resolutions, undermines the Council's credibility, the activities of the Panel and the work of the Committee. I note that we granted visas to the Panel's members within 24 hours of being requested to do so, and that we facilitated its meetings with all relevant individuals in the Sudan. I received two letters from the Chair of the Committee stressing the cooperation extended by the Government of the Sudan to the Panel.

I was also surprised to see reference in the resolution to ongoing military action, including aerial bombardments. Such attacks are things of the past, and we did not expect the resolution to contain such a paragraph.

The President (*spoke in French*): The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Council will remain seized of the matter.

The meeting rose at 10.30 a.m.



Security Council

Sixty-seventh year

Provisional

6717th meeting

Tuesday, 21 February 2012, 10 a.m.
New York

President:	President Gnassingbé	(Togo)
Members:	Azerbaijan	Mr. Mehdiyev
	China	Mr. Wang Min
	Colombia	Mr. Osorio
	France	Mr. Courtial
	Germany	Mr. Wittig
	Guatemala	Mr. Rosenthal
	India	Mr. Hardeep Singh Puri
	Morocco	Mr. Amrani
	Pakistan	Mr. Haroon
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Zmeevskiy
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland . . .	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

Peace and security in Africa

The impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region

Letter dated 17 January 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/42)

Letter dated 8 February 2012 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General (S/2012/83)

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12-23593 (E)



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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Peace and security in Africa

The impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region

Letter dated 17 January 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/42)

Letter dated 8 February 2012 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General (S/2012/83)

The President (*spoke in French*): Under rule 37 of the Council's provisional rules of procedure, I invite the representatives of Algeria, Australia, Benin, Brazil, Burkina Faso, Canada, Côte d'Ivoire, Egypt, Finland, Israel, Italy, Japan, Luxembourg, Mali, Mauritania, Nigeria, Norway, Senegal, Tunisia and Turkey to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Yuri V. Fedotov, Executive Director of the United Nations Office on Drugs and Crime, to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. José Madeira, Special Representative of the Chairperson of the African Union Commission for Counter-Terrorism Cooperation, to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Her Excellency Ms. Helga Schmid, Deputy Secretary-General of the External Action Service of the European Union, to participate in this meeting.

I wish to welcome the Secretary-General and Ministers participating in today's meeting. Their presence is an affirmation of the importance of the subject matter to be addressed.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2012/42, which contains a letter dated

17 January 2012 from the Secretary-General addressed to the President of the Security Council transmitting the report of the assessment mission on the impact of the Libyan crisis on the Sahel region.

I also wish to draw the attention of Council members to document S/2012/83, which contains a letter dated 8 February 2012 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General transmitting a concept note on the item under consideration.

I shall now make a statement in my national capacity.

First of all, on behalf of the Togolese Government and people, I would like to take the opportunity provided by today's debate to express my deep appreciation for the support that the Security Council has extended to Togo since we assumed the presidency of the Council for the month of February, as clearly illustrated by the participants' presence here in New York today.

I should also like to reiterate to the Secretary-General, to whom I once again extend my best wishes for success during his second mandate, my heartfelt congratulations for his ongoing efforts to promote peace, security and development throughout the world.

The Council's consideration of the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region is of crucial importance on a variety of fronts, for my country and for all of the States concerned. First, the situation concerning peace and security in West Africa and the Sahel continues to be very fragile, in spite of the efforts that have been made. There are countries emerging from conflict that border on States in which the socio-political situation continues to be precarious. Secondly, new threats to peace, security and development, such as piracy at sea, have emerged and intensified. Such threats undermine the foundations of States and the efforts made to promote democracy and social and economic progress in the region. Thirdly, in the Sahel in particular, the actions of rebel groups, which are already endangering the stability and territorial integrity of several countries, have unfortunately intensified following the Libyan crisis, which has led to a significant flow into the region of weapons of every calibre.

The convergence of all those factors, along with terrorist activities in Nigeria and the Sahel, have made both subregions a theatre for all sorts of trafficking, including in drugs, weapons and human beings. The latest report of the Secretary-General on the activities of the United Nations Office for West Africa (see S/2011/811) points out that the two subregions continue to be a preferred area for trafficking in cocaine and the production of synthetic drugs. Of course, Africa and the Sahel are not the only regions where that problem is an issue. Drug trafficking and organized crime also pose a major challenge to democracy, justice and the rule of law in other parts of the world.

Countries emerging from conflict are even more vulnerable, given that public order has been disrupted. Meanwhile, the grip of poverty facilitates corruption and the infiltration of still weak institutions by international criminal networks. Moreover, drug trafficking is increasingly linked to other types of trafficking in the region, in particular in fuel supplies, as well as piracy in the Gulf of Guinea.

Considering that the frequency and intensity of piracy at sea has increased along with the number of armed attacks in the region, specially along the coasts of Nigeria, Benin and Togo, as well as the fact that pirates have access to all sorts of cooperation with other criminal organizations on land, one can well imagine the complexity of the challenge faced by our States in order to contain organized crime. Likewise, criminal groups have stepped up their efforts when it comes to the swift and uncontrolled circulation of weapons of every calibre, as we have unfortunately seen from the situation in northern Mali.

Transnational organized crime is therefore a source of great concern for the countries of West Africa and the Sahel. It continues to be a major obstacle to the development of our countries' economies, insofar as security issues require the mobilization of significant intellectual, human and financial resources that should be invested in development efforts. It also undermines the foundations of States and the efforts made to promote democracy and the rule of law. In addition, organized crime significantly undermines the positive impact of the reforms undertaken by our countries to pull our peoples out of poverty and destitution.

It is for that reason that the Governments of West Africa and the Sahel region have initiated major

political and legal efforts to address the situation. The Economic Community of West African States (ECOWAS) plan of action for the period 2008 to 2011, which concluded last year, is an appropriate framework to combat organized crime in the region. I welcome the fact that United Nations agencies and the United Nations Office on Drugs and Crime are working with ECOWAS to renew the plan.

For several years now, the Government of Togo has been engaged in a fierce fight against organized crime in all its manifestations. In addition to institutional measures, such as the ratification of many international legal instruments on organized crime and terrorism, my Government has adopted a comprehensive national strategic framework to combat drugs and crime. In developing that framework, we enjoyed the expertise of several of our partners, including France, the United States of America, the European Union and the ECOWAS Commission.

The framework, which covers the period from 2009 to 2013, is structured around five priority pillars, ranging from strengthening coordination mechanisms to promoting the capacity of the State in efforts to prevent criminal activities. In that regard, I would like to thank all our development partners and to encourage them to support the efforts of Togo and all the countries of West Africa and the Sahel region.

It is encouraging to note that the international community is not indifferent to the issue of organized crime in West Africa and the Sahel region. The United Nations, and in particular the Security Council, is already committed to the fight against the various criminal activities of organized crime. By devoting a debate (see S/PV.6233) to drug trafficking in 2009, endorsed by a presidential statement (S/PRST/2009/32), and by adopting, on Nigeria's initiative, a resolution on piracy in the Gulf of Guinea (resolution 2018 (2011)) in October 2011, the Council has shown its determination to combat that new threat to international peace and security through all legal means.

In the same vein, my country welcomes the Secretary-General's recent deployment of two assessment missions to the subregion — on the repercussions of the Libyan crisis on the security of the Sahel region and on piracy in the Gulf of Guinea. There is no doubt that those initiatives make it possible to have a more coherent and comprehensive approach that can enable our countries to undertake the desired

efforts to prevent the West African subregion and the Sahel from being consumed by violence and chaos.

Nevertheless, the scope of the battle to be waged is such that West Africa and the Sahel region will not be able to undertake that fight without the involvement of the international community. Our countries need additional assistance, both material and financial, in order to face the many challenges posed by the heavily armed drug traffickers and criminal groups infecting our region. Security forces must have available appropriate means to confront and defeat those criminal groups. To that end, they need to be better trained and equipped. Similarly, the legal systems of our countries should be strengthened and should establish cooperation, among each other and with INTERPOL, with a view to exchanging information. We therefore think that a significant and coordinated joint effort among the States of West Africa and the Sahel is essential, including firm support from the international community, so as to defeat organized crime and associated activities. In particular, major cooperation is needed both in countries where drugs are produced and in those where drugs are consumed, in order to neutralize the related traffic.

I wish to express my gratitude to the General Assembly, the Economic and Social Council, the United Nations Office on Drugs and Crime, the United Nations Office for West Africa and the entire United Nations system, as well as to the Member States that have, each at its own level, provided their assistance and expertise in the day-to-day fight that our respective countries are conducting against organized transnational crime.

Our countries are aware of the responsibilities that fall to them with regard to political and economic governance and strengthening the rule of law. In the same vein, they work so that new graduates and the unemployed can find work and not become easy prey for organized criminal groups. We believe that the international community should strongly support the role of civil society and of non-governmental organizations involved in activities against illicit drug trafficking and organized crime.

In order to ensure better cooperation of actions at all levels, Togo proposes the creation of an international contact group on organized transnational crime, similar to the international Contact Group on Piracy off the Coast of Somalia.

The challenges in the fight against organized transnational crime are of such a dimension that they call for intensification of international coordination of actions against that scourge. In that regard I call for greater mobilization of the international community and greater support for the States of West Africa and of the Sahel region. I am convinced that the Security Council will spare no effort in continuing to consider this issue and giving it all the necessary attention.

We should not allow organized crime to destabilize West Africa and the Sahel, because a lack of coordinated action could lead to violence and the destruction of the hard-earned gains of recent years. It could also cost us the development of our countries.

I now resume my functions as President of the Security Council.

I now give the floor to the Secretary-General, His Excellency Mr. Ban Ki-moon.

The Secretary-General (*spoke in French*): Let me offer a special welcome to President Gnassingbé and thank him for having taken the time to come to New York to preside over this important meeting.

Despite the encouraging progress in certain countries with regard to the development of peace and security, stability in West African and the Sahel region is of increasing concern, and with good reason. Organized crime, drug trafficking and piracy are on the rise. The sudden upheaval in Libya is having repercussions such as the influx of weapons. A growing food crisis rooted in drought, high food prices and conflict currently affects millions of people, and the situation could become still worse.

There are reports of links between insurgent groups, criminal groups and terrorist organizations. There is even fear that we could see in this region a crisis of the same magnitude of that affecting the Horn of Africa. That must be avoided at all costs.

This meeting is thus very timely, and I commend the initiative of Togo in using its presidency of the Council to highlight the urgency of the various threats.

(*spoke in English*)

Transnational organized crime, including drug trafficking, affects peace, security and stability wherever it occurs. It undermines the authority and effectiveness of State institutions, erodes the rule of law and weakens law enforcement structures.

As West Africa remains a transit point for drug traffickers between South America and Europe, the potential for instability will continue to grow. This is horrendous for the people of the region of the Economic Community of West African States. It also presents a serious challenge to the peace operations in the region authorized by this Council.

To address the issue, we are working closely with the authorities in Côte d'Ivoire, Guinea-Bissau, Liberia and Sierra Leone in the context of the West Africa Coast Initiative. We have begun to build transnational crime units trained by United Nations police. But this is merely the beginning of what we must do.

The Governments of the region will need the support of regional organizations and the wider international community to build and sustain the required capacity in information-sharing, prevention, investigation, law enforcement and border management. This should unfold in parallel with the creation of alternative sustainable livelihoods and addressing the challenges of poverty, human insecurity and underdevelopment. We must also strengthen the capacity of peace operations in the region by embedding specialized units in our missions to complement the efforts of host State police and other law enforcement agencies.

I am especially disturbed by reports of terrorist activity. The assessment mission I dispatched in December 2011 to look at the effects of the Libya crisis on the Sahel found that terrorist groups, such as Al-Qaida in the Islamic Maghreb, have begun to form alliances with drug traffickers and other criminal syndicates. Such alliances have the potential to further destabilize the region and reverse hard-won democratic and peacebuilding achievements. The growing incidence of piracy in the Gulf of Guinea exacerbates the situation.

The consequences of inaction could be catastrophic, especially for oil-producing countries that are frequently targeted for their high-value petroleum assets, and for countries — both coastal and in the hinterland — that rely extensively on their ports for national revenue. Just last week, off the coast of Nigeria, an incident of piracy resulted in the murder of the ship's captain and engineer.

The Council will recall that in November 2011 I deployed an assessment mission to the Gulf of Guinea to assess the threat and help the Government of Benin

in formulating its response. The mission highlighted that any comprehensive maritime security strategy to combat piracy should be encompassed within a wider transnational organized crime response. This should include drug trafficking, illicit fishing, illicit dumping of toxic waste and illegal or clandestine immigration or migration. As the Council continues its discussions, I would like to reiterate the assessment mission's recommendation that a regional summit of Gulf of Guinea heads of State be convened as early as possible in 2012 with a view to developing a comprehensive regional anti-piracy strategy.

The United Nations is already deeply engaged in helping the countries of West Africa and the Sahel to combat crime, drug trafficking, piracy and terror. We have seen this toxic brew in other regions, in Africa and elsewhere. We must now be ready to do even more to keep the situation from escalating. The warnings are there. The trends are clear.

We have a responsibility to cooperate even more closely with Member States, as well as with regional and international organizations. Our common goal must be to ensure durable peace and stability in West Africa and the Sahel region.

The President (*spoke in French*): I thank the Secretary-General for his statement.

I now give the floor to Mr. Fedotov.

Mr. Fedotov (*spoke in French*): It is a great honour for the United Nations Office on Drugs and Crime (UNODC) to brief the Security Council on the impact of organized crime on security, stability and development in West Africa and the Sahel region. Indeed, those transnational challenges in the region have evolved from social and criminal problems into threats to security, stability and development.

(*spoke in English*)

The West African transit route feeds the European cocaine market, which has in recent years grown fourfold, reaching an amount almost equal to the United States market. We estimate that cocaine trafficking in West and Central Africa generates some \$800 million annually. South American drug cartels are exploiting regional vulnerabilities in West Africa — poverty, unemployment, lack of border control, weakness of law enforcement structures and endemic corruption. For those criminals, West Africa represents not only the shortest but also the most cost-effective channel for

trafficking illicit drugs to Europe. In doing so, they use a range of different transportation methods — second-hand aircraft, large and small ships, and container shipments.

West Africa is not only a cocaine transit area. The local consumption market is growing fast, and drug use is increasing across the region. There are up to 2.5 million drug users in West and Central Africa.

We also need to understand the extent to which drug trafficking in the region may be linked to piracy off the coast of West Africa. However, piracy and drugs are not West Africa's only concern. Trafficking in human beings, arms and counterfeit medicines have also been reported. The smuggling of migrants and other illegal activities are also growing.

In the face of those transnational issues, UNODC's approach has been strategic and tactical. It represents a multidimensional effort that acknowledges the multifaceted nature of those challenges. Our approach recognizes that while the problems in West Africa are local in nature, the solutions are often global. In promoting an inter-agency approach, for example with the United Nations Office for West Africa and the Department of Peacekeeping Operations (DPKO), we try to deliver practical action through regional programmes, while also designing activities that complement each other across different regions.

Our overall goal is to support and strengthen local institutions and to encourage partnerships among States and regional organizations, such as the Economic Community of West African States (ECOWAS). All our activities are based on the principle of shared responsibility.

On that subject, I add my voice to the need to renew the ECOWAS Praia Political Declaration and Regional Action Plan beyond 2011, as one of the best means of uniting local and international responses. I also welcome the initiatives of Member States, particularly, the work of Togo, which has adopted a national strategy under the ECOWAS Praia Political Declaration and Regional Action Plan. UNODC stands ready to support activities of the Peacebuilding Commission to mainstream transnational organized crime into the peace and security agendas.

The West Africa Coast Initiative (WACI), operating under the umbrella of UNODC's West Africa programme and in partnership with DPKO, the

Department of Political Affairs (DPA) and INTERPOL, supports the ECOWAS Regional Action Plan. That Initiative builds upon national and regional ownership and focuses on inter-agency cooperation and the rule of law. WACI will soon be extended to the Republic of Guinea and Côte d'Ivoire and will help sustain regional reforms.

I thank our partners for their financial support of WACI. Both UNODC and the United Nations system in general are at the disposal of Member States.

We are working to introduce best practices to the region based on our worldwide experience. Our Central American Network of Prosecutors against Organized Crime and Drug Trafficking, which has been active in Central America since 2011, is an example of how we are strengthening the criminal justice chain through exchanges in information and best practices. Now we have the necessary funding to introduce a similar network of organized crime prosecutors in West Africa. Through such activities we can promote regional connectivity and later ensure that those networks work together across the Atlantic Ocean. That will be an excellent example of South-South cooperation.

Other important initiatives include the Global Container Control Programme operating on both sides of the Atlantic and complemented by a similar programme, AIRCOP, for both regions' airports. Those programmes are helping to build capacities across land, sea and air.

UNODC's development of transnational crime units also provides a role model for the future. Such units have been established in Sierra Leone, Liberia and Guinea Bissau. The units in Sierra Leone and Guinea Bissau have both reported seizures. However, our work can not be effective, if it is not based on a clear understanding of the nature and scope of existing challenges. A new threat assessment in the region is being undertaken by UNODC and will be completed soon. It will be focused on the trafficking routes across the Atlantic Ocean.

In November 2011 a United Nations inter-agency mission to Benin and Nigeria, co-led by DPA and UNODC, defined the incidence of piracy in the Gulf of Guinea as a major threat to the peace, security and economic interests of States in the region. The mission's report recommended better coordination among the regional bodies and noted that the United Nations is well placed to achieve that coordination.

Working with its partners, UNODC plans to use its West African programme to translate the report's recommendations into firm action.

In the Sahel region, where concerns remain about the security situation, UNODC is assisting with the implementation of a regional initiative on judicial cooperation, including Mali, Mauritania, Niger and Burkina Faso. At the national level, UNODC is supporting Mali and Mauritania in the implementation of national integrated programmes and working with the European Union on projects in Nigeria.

To conclude, I stress the need for continued political commitment. I also commend the countries in the region for the efforts they are undertaking to combat these threats. However, additional resources are needed if we are to sustain reforms in the long term and contribute to security sector reform.

The President (*spoke in French*): I thank Mr. Fedotov for his briefing.

I shall now give the floor to members of the Security Council.

Mr. Courtial (France) (*spoke in French*): I thank the delegation of Togo for organizing this debate, which gives us a chance to exchange ideas about the impact of organized transnational crime on international peace and security in West Africa and the Sahel. I also thank Mr. Fedotov for his briefing and I would like to take this opportunity to reassert my country's appreciation for his work and the organization he runs.

I align myself with the statement to be made by the observer of the European Union.

The Security Council has many times been made aware of the threats posed by international organized crime to stability and security in various regions in the world, such as Afghanistan, Haiti or Central America. But the case of West Africa — which has undergone many conflicts over the past decade — shows the diversity of organized crime and, above all, its negative effect on efforts at achieving good governance and rebuilding public institutions in post-conflict situations.

The Council has several times expressed its concern about the growing drug traffic and its destabilizing effect in Guinea-Bissau. The phenomenon affects the whole of West Africa and is tied in with

maritime insecurity and armed piracy on the high seas. Organized crime networks form and use the Sahel region — which is particularly porous — as a transit area, before spreading to the rest of the continent or the shores of Europe.

We also know that, as elsewhere, drug trafficking in Africa attracts other transnational illicit trade, such as in weapons, money laundering and human trafficking. The spread of both small arms and heavy weapons is another challenge characteristic of West Africa and the Sahel region. The penetration of funds from those illegal trades into the broader regional economy, the corruption it causes, and the violence among criminal groups striving to capture markets all undermine governance and threaten socio-economic development.

In that context, France welcomes the fact that the Security Council is assessing the impact of those forces and also welcomes the initial responses implemented by the States of West Africa. Various bodies of the United Nations are working to promote political awareness of the challenges involved and more effective political collaboration in addressing them. On the ground, we must take advantage of the opportunities for cooperation among the various United Nations agencies and other international organizations working on those issues. The instability caused by various forms of illegal trade, particularly drug trafficking, requires a coordinated response, as well as reconstruction and crisis prevention policies that include combating transnational organized crime. This principle is at the heart of the West Africa Coast Initiative, which includes Guinea-Bissau, Sierra Leone, Côte d'Ivoire and Liberia and which is supported by France.

I would like specifically to commend the role played for several years now by the United Nations Office on Drugs and Crime (UNODC) in helping the States of the region. Since 2008, UNODC has played a major role in implementing the 2008-2011 Praia Regional Action Plan of the Economic Community of West African States (ECOWAS). The direct involvement of African countries is critical, especially of those suffering the full brunt of the destabilizing effects of that illegal trade. The voices of those countries must be better heard and their actions supported.

In that regard, we are fully convinced that ECOWAS must play a central role. Given the international dimension of the criminal networks of which we are speaking, some of which have their origins outside West Africa and even outside the continent, it is more crucial than ever to strengthen regional and international cooperation on matters of policing and the rule of law. It is particularly important to establish national criminal justice systems that are accessible and aligned with international norms.

The United Nations Conventions against drugs, the United Nations Palermo Convention against Transnational Organized Crime and United Nations Mérida Convention against Corruption have established an exemplary and appropriate policy framework for the fight against narcotics. It should be universalized and implemented.

The States of West Africa and the Sahel region can count on strong and determined support from France and, more broadly, from the European Union, in strengthening their capacities to combat transnational organized crime. The European Union is a major player, providing substantial support for efforts to combat drug trafficking and organized crime in West Africa and for the fight for maritime security, both in the Gulf of Guinea and in the Sahel region, where the Union is implementing significant technical assistance programmes.

France is fully committed to those efforts, alongside the countries of West Africa. Thanks to its network of volunteers and other partners, its interior security attachés and its liaison officials, we have been able to step up our cooperation. In that regard, France has contributed more than €10 million to technical cooperation programmes in support of good governance and the justice sector in the countries of the Sahel region, as part of its special priority funds programme.

France is also fully committed to the fight to ensure maritime security in the Gulf of Guinea, for example by developing a three-year project for Benin, Ghana and Togo, and also working alongside the Economic Community of Central African States.

Finally, each year, our interior security attachés in West Africa, often in close coordination with other relevant international organizations, implement technical assistance programmes that include police training and the provision of equipment. We must

strive to strengthen coordination between the United Nations, African regional organizations, the European Union and other specialized organizations working in that area, such as INTERPOL.

Lastly, within the United Nations system itself, there is a need for coordination among the bodies, agencies, funds and programmes that play a role, direct or indirect, in providing assistance in the fight against transnational organized crime. It seems to us important that we are all informed about what will be done in that area. We would therefore welcome the Secretary-General's continued consideration of cross-cutting threats, especially transnational organized crime, when considering conflicts, prevention strategies, integrated missions and peacekeeping operations.

Furthermore, we hope that the Secretary-General can provide recommendations to the Security Council, better enabling the Council to fully understand and address those cross-cutting threats, particularly in the case of West Africa and the Sahel region. Those recommendations should focus on the main, destabilizing factors. In that regard, we consider drug trafficking to be the number one priority.

Finally, there is a need for the Security Council to continue to be informed and updated on these issues and continue to discuss them, based on regular briefings from the Executive Director of UNODC.

Ms. Rice (United States of America): I would like to thank you in particular, Mr. President, for convening this important debate on the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region. I also want to thank Secretary-General Ban Ki-moon and Executive Director Fedotov for their briefings today.

Transnational organized crime is a scourge everywhere, but West Africa and the Sahel region are plagued by a particularly insidious version. Criminal networks corrupt societies that face pressing developmental challenges in a region emerging from years of conflict. The Security Council must address the situation using a holistic approach, in tandem with the African Union, subregional organizations and other actors. Governments in West Africa and the Sahel region have made significant efforts to fight organized crime through the Economic Community of West African States (ECOWAS), the West Africa Coast Initiative and numerous other bilateral and subregional partnerships.

However, the dangers continue to grow. West Africa and the Sahel region face increasingly complex and sophisticated criminal activities, including terrorism, the embezzlement of public funds and the illicit trafficking of drugs, arms, oil, people and counterfeit goods, which threaten regional stability by inflaming conflicts and undermining development.

Drug trafficking remains a principal threat. As we have heard, according to the United Nations Office on Drugs and Crime (UNODC), the United Nations Office for West Africa and reports provided to the Security Council, drug trafficking is increasingly intertwined with other forms of trafficking in the region. The United States continues to support the West Africa Coast Initiative through UNODC in order to address border and corruption issues in an area of the world where an estimated \$1 billion in cocaine is trafficked annually, a number more than twice the gross domestic product of many West African nations.

Criminals that conduct kidnap-for-ransom operations have substantially supported terrorist networks in the Sahel region. Al-Qaida in the Islamic Maghreb has demonstrated its ability to carry out criminal activities and attacks against soft targets across significant distances.

Illicit arms trafficking is another serious aspect of transnational crime in West Africa and the Sahel region. Poorly secured stockpiles of conventional weapons and ordnance are a potential source for arms smugglers in the region. In October 2011, the United States completed a project in Guinea-Bissau that destroyed over 80 metric tons of obsolete military ordnance at the request of the host nation. We encourage States to assist, where possible, Governments in North and West Africa to destroy surplus, obsolete or poorly secured weapons and ammunition stockpiles.

The Libyan crisis has introduced a new set of cross-border challenges. We remain concerned about the risk of weapons, including man-portable air defence systems, or MANPADS, moving across borders. As Secretary of State Clinton announced in Tripoli last October, the United States is providing \$40 million to assist Libya in securing and recovering its weapons stockpiles. So far, we have scoured over 1,500 bunkers and have helped to identify, recover and secure approximately five thousand MANPADS and components.

We appreciate the financial and technical assistance provided, including by the United Kingdom, Canada, Germany, the Netherlands, France and Italy. We support the work of the United Nations Sanctions Committee panel of experts with respect to the assessment of MANPADS and other proliferation threats, and we encourage States that have exported MANPADS to Libya in the past to share information with the Libyan authorities to assist them in accounting for unsecured missiles.

Finally, we note with appreciation the decision by this presidency to hold a separate meeting on piracy in the Gulf of Guinea, since piracy and armed robbery at sea also increasingly threaten the peace, security and stability of West Africa and the Sahel. We look forward to the discussion on this topic on 27 February.

Mr. Zmeevskiy (Russian Federation) (*spoke in Russian*): Allow me at the outset to thank you, Mr. President, and your country for taking the initiative to hold a meeting of the Security Council on such an urgent issue. We are also grateful to the Secretary-General, Mr. Ban Ki-moon, and the Executive Director of the United Nations Office on Drugs and Crime (UNODC), Mr. Yuri Fedotov, for their substantive briefings.

The events of recent years have shown that globalization provides mankind not only with new possibilities for collective development but also with new criminal challenges. The way we respond to such challenges will determine the political stability of entire States and regions.

We observe dangerous trends in West Africa and the Sahelo-Saharan region. Unfortunately, in 2011 problems increased in that region, one of the top being the task of ensuring security. That issue has grown exponentially against the backdrop of terrorist events in Libya and other criminal threats and challenges.

We note with concern the increased activity of organized crime, particularly piracy, in the Gulf of Guinea and the growth of illegal drug trafficking. Smuggling and the sale of weapons, including in small arms and light weapons, through the territories of a number of countries in the Sahelo-Saharan region, along with continuing illegal migration, pose a threat to the international community. Experts believe that the leakage of Libyan weapons is linked to the activities of terrorist groups. Their activities have spread geographically and the number of terrorist attacks is

increasing, as a result of interlinking with organized crime and drug trafficking. The activity of terrorist groups such as Al-Qaida in the Maghreb countries is of particular concern.

Old forms of crime persist — human trafficking for labour and sexual exploitation, the use of forced labour. The smuggling of oil and diamonds continues. Behind many of those crimes lies corruption.

Illegal drug trafficking provides considerable financial support for terrorism, violent extremism and organized crime. Not only has West Africa become one of the main hubs for smuggling cocaine to Europe, but the region has also adapted to the production of synthetic drugs, and major new routes for Afghan heroin have developed there. Tension is growing in inter-religious relations. Suffice it to recall the churches blown up by the terrorist group Boko Haram during the Kurban Bayram holiday toward the end of last year.

In the context of ensuring security in that region, we propose that the main effort be conducted by the countries of the region, in a leadership role, with the support of the international community, in a comprehensive effort focused on the following areas.

First, the flow of Libyan arms needs to be addressed. Precisely with that goal in mind, Russia last autumn launched the initiative for the adoption of Security Council resolution 2017 (2011), which places responsibility on the new authorities in Libya, its neighbours and the international community for the earliest solution to that urgent matter. The Panel of Experts of the Sanctions Committee on Libya and the Counter-Terrorism Committee Executive Directorate have also noticed the significant threat to security posed by the uncontrolled spread of Libyan weapons.

Of particular concern is the flow of man-portable air defence systems (MANPADS) and missile launchers, which threaten civil aviation not only in the Sahelo-Saharan region but far beyond its borders. Information has been received regarding interest in MANPADS on the part of the terrorist organizations Al-Qaida in the Maghreb and Boko Haram. We suggest that work by United Nations bodies to resolve that problem could be reinforced by efforts in the framework of the Global Counterterrorism Forum. We believe it is important that the Counterterrorism Forum respond to the stated readiness of the Sahel quartet to cooperate in preventing the spread of Libyan weapons

and in taking further steps to implement resolution 2017 (2011).

Secondly, given that it is more than likely that Libyan weapons will fall into the hands of terrorists, the growth in transnational organized crime and drug trafficking means that the security capacity of the Sahelo-Saharan Governments must be strengthened. We must implement broad, integrated measures that emphasize enhanced border security, protection of airports, intensified exchange of information and the training the staff of law enforcement bodies. None of that can be accomplished without international support.

We support the activities of the United Nations and its Office on Drugs and Crime, and we are strengthening our partnership with the African Union, the Economic Community of West African States (ECOWAS) and other African regional structures that address the issue of combating criminal challenges.

It would also be useful to establish a broad regional platform to combat such threats. That would respond to the ECOWAS regional plan to combat organized crime and drug trafficking and would support specialized coastal initiatives for West Africa, established with the support of the United Nations and INTERPOL. We should maximize use of the platform developed by UNODC for an integrated regional programme for West Africa for 2010-2014, as well as country-based programmes.

Thirdly, in the longer term, we must pay greater attention to de-radicalizing the population, especially the young. Emphasis should be placed on addressing problems of employment and in the area of education. Particular attention must be paid to increasing the effectiveness of efforts to counter extremist tendencies, which are the ideological basis and the breeding ground for the actions of terrorist groups in the region. It is essential to create in the region, under the auspices of the United Nations and UNESCO, an atmosphere that rejects new challenges and threats, and to work with the media and with the structures of civil society to achieve that goal. We must also cut off at the root all attempts to draw the regional diaspora abroad into terrorist activity.

Fourthly, ensuring an effective legal component in order to combat those criminal challenges is of utmost importance. First and foremost, that concerns, of course, strict respect for the provisions of international law and of the Charter of the United Nations.

Of great importance in establishing a broad anti-criminal front is ensuring full-fledged participation by States of the region in the fundamental international agreements, including the United Nations Convention against Transnational Organized Crime of 2000 and its Protocols, the United Nations Convention against Corruption of 2003, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances and the United Nations Global Counter-Terrorism Strategy. No less important is ensuring the establishment and the implementation of domestic laws in line with the provisions of the international treaties. We note the key role played by the UNODC in providing such technical support to States of the region.

Fifthly, it would be useful to task UNODC, as part of its global research into financial flows from various types of criminal activities, to pay particular attention to that problem as it relates to West Africa and the Sahel region. Disrupting the financial basis for international criminal syndicates has led to major success in combating them.

Sixthly, we consider intrinsically related the issues of security and development in West Africa and the Sahel region. We advocate the design by countries of the region, with the participation of the donor community, of an integrated comprehensive socio-economic strategy.

A significant role could be played here by using the potential of international organizations such as the United Nations Development Programme, United Nations Industrial Development Organization and the Food and Agriculture Organization in implementing programmes aimed at job creation in countries of the region and involving the business community in efforts aimed at reducing the social influence in favour of terrorism and other international criminal activity.

The Russian Federation has experience in the implementation of such programmes, including in West Africa. Our country emphasizes the provision of humanitarian assistance through United Nations channels. We are providing bilateral support to countries of the region by training professional staff in areas including health, construction and the staff of law enforcement agencies.

We hope these thoughts will be taken into account when the Secretary-General prepares specific recommendations for the Security Council on further

steps to be taken in this area. We believe that their implementation will comprise an important component of global efforts of the international community aimed at countering criminal challenges and threats and will help to ensure security and stable development in the countries of West Africa and the Sahel region.

It is important that this region be transformed into a platform for cooperation among all interested parties that is based on the principles of international law, rather than an area of competition benefiting only organized crime and international terrorism.

Mr. Amrani (Morocco) (*spoke in French*): First of all, my delegation would like to welcome President Faure Essozimna Gnassingbé, who has enhanced the Council by his participation in this important meeting. At the same time, on behalf of the Kingdom of Morocco, I would like to thank the Togolese Republic for its initiative in organizing a discussion on an issue of major importance to West Africa and the Sahel region and the entire African continent.

We also thank your country, Mr. President, for organizing a public debate on 27 February to discuss the report of the assessment mission (S/2012/42) that visited countries in the Gulf of Guinea, as well as your country's determined commitment to defend African interests in the Security Council. Together with today's discussions and those of last month on the Sahel region, the upcoming debate will make it possible to clarify an overall perspective on the situation in West Africa, a region that is dear to us and with which we share centuries-old ties.

I also thank Secretary-General Ban Ki-moon and the Executive Director of the United Nations Office on Drugs and Crime (UNODC) for their presence and contributions to the discussion.

Transnational organized crime is a real challenge to stability in West Africa and the Sahel region. It threatens the sovereignty of States and all efforts aimed at building peace and development in the region. Today those regions find themselves facing increasingly complex challenges that have resulted, for most part, from drug-trafficking and a newly emerging generation of transnational organized crime activities characterized by major robberies, piracy at sea and terrorism, activities heretofore unknown in our region. Those criminal networks are increasingly linked and replenish each other while growing internationally,

thus strengthening their destructive ability and destabilizing effects.

Furthermore, the increasingly clear interconnections among transnational organized crime, armed groups and separatist movements and small terrorist groups are, in our region, a source of concern, to which the international community should devote greater attention.

In West Africa, laudable major initiatives have been launched at national, regional and subregional levels, in particular the adoption of the Praia Plan of Action against drug-trafficking; the ECOWAS Regional Action Plan and the West Africa Coast Initiative. Today, a new approach is being developed by ECOWAS, the Economic Community of Central African States and the Commission of the Gulf of Guinea in order to respond to emerging challenges in the context of the Gulf of Guinea, among other things.

Because of its geographic position and in response to various challenges generated by trans-Atlantic drug-trafficking and piracy in the Gulf of Guinea, Morocco has already taken the initiative of bringing together, in August 2009, 22 African countries issuing from the Strait of Gibraltar to the Cape of Good Hope. Today, three of them are by happy coincidence members of the Security Council. The Moroccan initiative led to the establishment of the ministerial conference of African Atlantic coastal States. Both the initiative and its resulting conference were established as a platform to bring together the affected coastal countries in order to deal with the challenges coming from the Atlantic Ocean through a flexible cooperation and coordination mechanism free from institutional constraints and that, above all, complements existing initiatives.

In that context, I note that the first meeting of the ministers for security participating in the conference will take place shortly. Its main objective is to assess the measures to implement the security pillar of the action plan adopted in Rabat in November 2010 which aims to strengthen more flexible cooperation among security, police and legal authorities as well as exchanges of information and intelligence information within the ministerial conference based on the main objective of combating transnational organized crime.

(spoke in English)

Transnational organized crime cannot be dealt with by a State or a region alone. Increased solidarity

and enhanced concerted action are crucial between the States of West Africa and the Sahel in order to sustainably tackle the multiple challenges posed by that crime. A global approach is therefore required to address such challenges through the innovative and overarching mechanism of cooperation and coordination, particularly between the western and northern subregions of Africa.

With regard to the fight against the transatlantic trafficking of drugs, namely, cocaine, broader cooperation based on the principle of shared responsibility is essential in order to find long-term responses to the disturbing scourge that is progressively taking root, day by day, in the regions of West Africa and the Sahel. In that regard, it is important to support and strengthen existing subregional and transregional African mechanisms and to ensure that their implementation is urgently undertaken. In that context, the international community is called upon to assist the countries of West Africa and the Sahel.

The sharing of expertise, intelligence and know-how is an effective way to help countries develop capacities in the fight against that crime. Among the African Atlantic States, many countries have already expressed their willingness and readiness to share experience, expertise and know-how with other members of the African transatlantic initiative — all, of course, in the spirit of African solidarity and South-South cooperation. The same spirit should also prevail between countries of the North and the South, as well as within triangular cooperation.

It goes without saying that any action undertaken to fight transnational organized crime requires a concerted approach in dealing with the root causes that allow for the development of that threat, which are weak rule of law, a lack of judicial and police cooperation among neighbouring countries and across borders and a lack of capacity, as well as the many socio-economic challenges facing some of the countries of the region.

We therefore welcome the valuable role played by the United Nations, particularly UNODC, and international partners, namely, the European Union, in assisting States in the region in many of those fields. Such cooperation should be further strengthened in a coherent, coordinated and concerted manner,

addressing jointly and in a balanced way both the security and the development aspects.

With regard to the last point, one cannot overstate the crucial importance of development in all its socio-economic and human dimensions as a force for stability, security and prosperity. His Majesty King Mohammed VI has always advocated the need to address development in all its aspects, namely, through South-South cooperation and regional integration. Morocco firmly believes in, and is firmly committed to, pursuing that goal in cooperation with other African countries.

Finally, the prompt response and shared responsibility of States in the West Africa region and the Sahel are important and imperative to provide sustainable responses to the threat. For its part, the international community, through the United Nations, must also establish an early-warning mechanism, allowing them to assist, if necessary and at short notice, relevant countries of the region. Their development should be the key response to the issue.

Mr. Wang Min (China) (*spoke in Chinese*): I thank Togo for the initiative to convene this open debate on the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region. I welcome His Excellency President Gnassingbé presiding over today's meeting. I also thank Secretary-General Ban Ki-moon and Executive Director Fedotov for their statements.

In recent years, transnational organized crime has spread in West Africa and the Sahel region. The increase in the trafficking of illegal drugs and arms, piracy and terrorist activities seriously threaten peace and stability, endanger economic and social development and have a negative impact on the humanitarian situation in that region. China expresses its serious concern in that regard.

We appreciate the consistent efforts made by West Africa and the countries of the Sahel region to combat transnational organized crime. We hope that West Africa and the countries of the Sahel region will learn from the positive experience of other regions, draw up and improve comprehensive strategies, strengthen capacity-building and promote cooperation in border management, justice and law enforcement so as to better assume responsibility for maintaining peace and stability in the region.

We welcome the relevant efforts made by regional organizations, such as the Economic Community of West African States, to cooperate with countries in the region. We support West Africa and the countries in the Sahel region in their efforts to strengthen practical cooperation through regional coordination.

The countries in West Africa and the Sahel region are developing countries and urgently need the active support and assistance of the international community to combat transnational organized crime. In the short term, the lack of resources, technology and capacity is the main obstacle to West Africa and the countries in the Sahel region combating transnational organized crime. We appeal to the international community to increase its input of capital and technology and to provide effective assistance to the relevant countries and regional organizations on the basis of full respect for the sovereignty of the countries concerned. We hope that the United Nations will actively exercise its coordinating role and that members of regional organizations and United Nations specialized agencies fully utilize their respective advantages and expertise to promote resource integration and allocation as an effective guarantee of relevant efforts of countries and organizations in the region.

The Security Council should continue to be seized of the issue of transnational organized crime in West Africa and the countries in the Sahel region and promptly adopt the necessary measures. In the long term, poverty and delayed economic and social development are the breeding ground for transnational organized crime in West Africa and the countries in the Sahel region. We appeal to the international community to actively take practical and effective steps to assist countries in the region in their economic recovery and development, job creation and better living standards in order to solve the root causes of the problem.

The security situation in West Africa and the Sahel region has a significant impact on combating transnational organized crime. The current problem of arms proliferation in West Africa and the Sahel region is rooted in history, but the recent regional conflict has exacerbated the matter. China is very concerned about that. We hope that the relevant parties in the international community will draw lessons from that, be prudent in dealing with regional crises and conflicts, continue to settle disputes peacefully through dialogue and negotiation, avoid taking any action that exceeds

the mandate of the Security Council, and play a constructive role in maintaining regional peace and security.

Mr. Osorio (Colombia) (*spoke in Spanish*): We would like to warmly welcome you, Sir, and thank you for convening and presiding over this debate. We would also like to welcome the high-level representatives who are with us today and to thank the Secretary-General and the Executive Director of the United Nations Office on Drugs and Crime for their very detailed and concise briefings.

West Africa and the Sahel region are in a critical security situation that has been exacerbated by internal and external factors. The presence of various forms of transnational organized crime, as well as the spread of small arms and light weapons and the threat represented by an increasing terrorist presence, are concerns that require international cooperation in timely support of the efforts of States and the regional and subregional organizations.

We share the concern — expressed in the report of the assessment mission to the Sahel (see S/2012/42) and reiterated by the Secretary-General — over the combined effects of poverty, food insecurity and natural disasters, together with institutional fragility and limited access to basic social services, have heightened the vulnerability of the Sahel communities and increased their dependency on humanitarian assistance. This picture confirms the need to adopt effective mechanisms and measures to enhance international cooperation and coordination among States against the various manifestations of transnational organized crime and to prevent terrorism from finding a breeding ground in the region.

The Organization as a whole must act to provide assistance, address the immediate problems and find long-term solutions to structural problems. We agree with the recommendations to approach these challenges from an integrated perspective, respecting the balance between efforts to enhance security and those to promote the region's social and economic development.

Similarly, we support the conclusion of the United Nations assessment mission on piracy in the Gulf of Guinea to the effect that any viable or lasting regional strategy to combat piracy will also need to include measures to reduce high levels of youth unemployment, wide income disparities within society,

the prevalence of corruption, the uncontrolled circulation of illicit weapons, and other structural measures (see S/2012/45). As part of this integrated focus, which enhances the coherence among the political, justice, security, development and human rights spheres in this and other situations on its agenda, the Security Council plays an important role in supporting the enhancement of the rule of law and ensuring national capacity-building to promote functioning institutions and the provision of basic services.

We agree with Mr. Fedotov that the Security Council must contribute to the important work being undertaken by other United Nations organs. However, the increase in organized crime can threaten the achievements that have been made in enhancing stability, governability and institution-building in situations on its agenda.

It has to be recognized that transnational organized crime in its various forms has a global dimension. It generates billions of dollars, leading to violence and corruption and affecting the international community as a whole. The scope and complexity of this phenomenon requires integrated, coordinated efforts on the part of the United Nations system and the international community. It is therefore necessary to continue to emphasize the General Assembly's role as a forum for discussion and establishing consensus to address these issues and challenges.

We are concerned over the tendency to ignore the agreements established within the framework of the General Assembly with regard to transnational organized crime and the global problem of drugs as global concepts and the tools we need to confront them. This trend could be a step backwards on previous commitments established on the basis of shared responsibility and the need to adopt a comprehensive, balanced approach in the framework of international cooperation.

At the same time, it is necessary for the international community to address all criminal activities with the same resolve. The Organization must have binding instruments to improve control over the trade in small arms and light weapons, explosives and related material, and ammunitions and over the marking, identification and prohibition their transfer to non-State actors.

Other specific measures that could contribute to improving the situation in the Sahel and West Africa include enhancing border control by providing the necessary technology and financial resources, establishing cooperation agreements for effective judicial systems, information exchange and assistance in implementing relevant international standards.

Colombia is convinced that there is a need for strategic alliances to ensure that we work together to establish more secure societies, because isolated efforts to address transnational and multidimensional crimes are inadequate. The international community's goal must be to eliminate all forms of organized crime in the context of international cooperation.

We reiterate our commitment to working at the bilateral, regional and multilateral levels. We are participating in the West Africa Coast Initiative and cooperating in capacity-building for the countries of West Africa to combat international organized crime, including drug trafficking, and to see that justice is done.

Mr. Wittig (Germany): Mr. President, we thank you for convening this important debate and for your personal presence today.

Germany attaches great importance to the fight against organized crime. We highly appreciate the efforts of the delegation of Togo in this regard. We would also like to thank the Secretary-General for his remarks and Mr. Fedotov for his briefing at the outset.

We all have been observing with growing concern the impact of transnational organized crime on peace and security in West Africa and the Sahel region. The spread of transnational organized crime — including illicit trafficking of drugs, arms and human beings, as well as the more recent phenomenon of acts of piracy in the Gulf of Guinea — and insecurity go hand in hand. They are facilitated by weak governance, insufficient implementation of the rule of law and corruption.

Countries in conflict and post-conflict situations are especially vulnerable to organized criminal activities, which in turn further undermine the already weak institutions of these States. In recent years, links between organized crime and terrorist groups, made in a mere partnership of convenience, have become a particular concern.

Most of the States in West Africa and the Sahel lack the capacity and equipment to address criminal and terrorist activities effectively. At the same time, transnational organized crime is a security threat that, by definition, cannot be tackled by any one country alone. A comprehensive, integrated approach is required to address transnational organized crime. Cooperation and coordination between the affected countries, as well as with and between the regional organizations must be strengthened. Information-sharing in particular needs to be improved.

To this end, several instruments and initiatives have been developed, yet their effective implementation requires enhanced national and regional capacities, strong political will and sufficient financial support. Let me highlight the following example.

At the global level, the United Nations Convention against Transnational Organized Crime, the so-called Palermo Convention, including its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, is of particular importance. We welcome the recently developed United Nations Office of Drugs and Crime framework for action providing guidance on how to implement the Protocol against the Smuggling of Migrants, and we encourage all States parties to make use of this helpful instrument. The Palermo Convention, like other United Nations conventions focusing on organized crime and illegal drugs, provides important legal tools to counter these scourges of humanity.

At the regional level, the Economic Community of West African States (ECOWAS) Regional Action Plan 2008-2011 represents a promising framework for combating illegal drug trafficking and organized crime in West Africa. It should be extended to 2012 and beyond, and its implementation should be accelerated. The United Nations Office on Drugs and Crime, the United Nations Office in West Africa and INTERPOL have played a crucial role in assisting the ECOWAS Plan through the West Africa Coast Initiative. Its focal points for cooperation — the so-called transnational crime units — could serve as an example for other regions.

The Judicial Regional Platform of Sahel countries, established in 2010, is aimed at institutionalizing judicial cooperation in preventing

and combating organized crime, corruption, drug trafficking and terrorism. We encourage other States in the region to join that Platform.

Effective regional and international cooperation in the fight against transnational organized crime relies heavily on the stability and capacities of the individual partners involved. National capacities therefore need to be strengthened, and root causes need to be addressed in countries susceptible to organized crime. That includes the promotion of the rule of law and of good governance in fostering socio-economic development.

Germany has been working together with countries in West Africa and the Sahel region, as well as with regional organizations and the United Nations agencies concerned, in fighting transnational organized crime, including through addressing its root causes. In that regard, I should like to mention our support for the Global Container Control Programme, which is aimed at ensuring the effective control of container cargo in several West African countries, in order to suppress and prevent drug trafficking from Latin America via West Africa to Europe.

Furthermore, we support capacity-building projects aimed at enhancing the rule of law and the justice systems in Côte d'Ivoire, Guinea, Liberia, the Niger and Sierra Leone. We also support the activities conducted by ECOWAS in States of the region to enhance police capacities in post-conflict situations.

Germany also cooperates with Côte d'Ivoire in the control of small arms and light weapons by supporting the relevant authorities, by training and capacity-building, and by developing arms-collection mechanisms at the community level. We contribute to the European Union's Sahel strategy, which addresses both development and security issues and is aimed at strengthening regional cooperation.

With a view to dealing with the long-term socio-economic root causes of transnational crime, we would recall that just a week ago agreements establishing the West African Science Service Centre on Climate Change and Adapted Land Use were signed in Lomé. That forward-looking initiative is designed to respond to climate change and to preserve sustainable livelihoods in the region. Climate change certainly constitutes one of the root causes of the current food crisis in the Sahel.

Germany recently allocated €12 million in additional funds for food aid in the region, and the European Union is increasing its food aid from €95 million to €124 million. We hope that concerted efforts will help to overcome this humanitarian crisis.

Let me conclude by pointing out that my delegation associates and aligns itself with the European Union statement to be delivered later.

Sir Mark Lyall Grant (United Kingdom): I wish to thank you, Mr. President, for having convened and for chairing this important debate, and for your clear statement of concern at the beginning of the debate. I should like also to thank the Secretary-General for his earlier contribution and Mr. Fedotov for his briefing today.

It is right that the Security Council has recently focused on the potential threats to regional peace and security in West Africa and the Sahel created by the trafficking of drugs, weapons, oil, counterfeit goods and other commodities. Those threats undermine regional stability and economic development, and they fuel conflict and terrorism. The United Kingdom welcomes Togo's leadership on those issues.

We share the view that many West African countries appear to be leaving behind a long and troubled period of civil war. However, the Sahel region still faces a range of complex and interlinked challenges, including food insecurity, conflict, terrorism, diminished State capacity and climatic shocks. In addition to a growing humanitarian crisis in the region, recent Tuareg insurgencies in northern Mali and evidence of Al-Qaida's growing ambition in the region make this a critical area for the international community to focus on.

Defeating terrorism, disrupting organized crime and, above all, achieving sustained peace and security in the region are issues that should indeed be considered in the Council.

The United Kingdom is working closely with its international partners to ensure a coherent and focused approach to promoting security and development in the Sahel. One of the key vehicles in that connection is the European Union Sahel strategy, which the United Kingdom is pleased to support.

The year 2011 showed a significant increase in the volume and impact of armed robbery and piracy incidents in the Gulf of Guinea linked to illegal

fishing, oil bunkering and trafficking of narcotics, people and weapons. Those incidents appear to be concentrated off the coast of Nigeria and Benin, although there have been reports of attacks further along the coast and out to sea, some including evidence of the use of mother ships. Such incidents threaten the security and the economic and social stability of countries in the region. It is therefore in all of our interests to work together to address the threats to maritime security to prevent further destabilization, and, like others, I welcome the opportunity to discuss this in more detail later in the month.

We believe that maritime security in the Gulf of Guinea can best be addressed through a regional response. We encourage States in the region to work more closely together on this issue and with the United Nations Office in West Africa. It is important that action be taken now to prevent the situation from deteriorating further, and we hope that West African heads of State will be able to prioritize activities to tackle the range of maritime security threats facing their countries.

In that regard, the United Kingdom strongly welcomes the leadership shown by ECOWAS and the Economic Community of Central African States in working together on a maritime security strategy for West Africa.

We also warmly welcome the industry-led initiative to create a maritime trade information-sharing centre based on the United Kingdom's Maritime Trade Office, which has proved very valuable in tackling piracy off the coast of Somalia.

As with piracy, the problem of drug trafficking in West Africa requires regional solutions alongside specific national action. We look forward to ECOWAS ministers implementing the regional plan against drug trafficking agreed in 2008. Cocaine traffic through West Africa fuels corruption and conflict. It impedes economic development and poses a direct threat to those countries battling illegal drug use. The United Nations estimates that approximately 50 tons of cocaine, worth about \$1.8 billion, are passing illegally through West Africa to Europe every year. In the last six months alone, nearly 400 kg of cocaine, with a United Kingdom street value of more than \$30 million, has been seized by the Togolese authorities.

This is a timely and important debate, and I am grateful for Togo's leadership on this critical issue. We

fully support the draft presidential statement negotiated by Togo and agreed by the Council.

Mr. Rosenthal (Guatemala) (*spoke in Spanish*): I should like at the outset, Mr. President, to thank you for having convened this meeting and in particular for joining us personally today. We also welcome the concept note (S/2012/83, annex) circulated by your delegation as background for our debate, as well as the briefings by the Secretary-General and the Executive Director of the United Nations Office on Drugs and Crime.

I should like to make five points, centred more on the thematic aspects than the geographical ones that are part of the subject of this open debate. While there is little that we may be able to contribute to the specific situation of West Africa and the Sahel region, unfortunately my country has been a direct victim of transnational organized crime and, therefore, has some experiences that it can share.

The first point is precisely that. Although our attention today is focused on West Africa and the Sahel region, we could just as well be discussing my own region, Central America. In other words, transnational organized crime is a universal problem, whereby numerous low- or medium-income countries are transformed into transit points of illicit activities, be they drug trafficking, human trafficking, contraband of stolen durable goods, trafficking in precious stones or others. The phenomenon has some common characteristics, the main one being the vulnerability of the affected countries.

Those countries tend to have a geographical location that favours the moving of illicit goods and services from their source to the market for their final consumption. They tend to be low- or medium-income countries, with relatively weak justice and security institutions and large contingents of low-income people, who are consequently susceptible to the temptation of exposing themselves to activities outside of the law, as well as a culture of opacity in financial management.

Furthermore, in smaller economies the magnitude of resources managed by transnational criminal cartels has a relatively heavy weight, which facilitates the cooptation — or, alternatively, intimidation — of those people who can facilitate their illegal activities. The phenomenon does not always constitute a threat to

peace and security, although clearly it has that potential in some cases.

That brings me to my second point, which is that if the illicit activity is of a transnational nature, it must be tackled through actions that combine robust responses in each country together with a strong element of international cooperation. Although it sounds like a truism, it is nevertheless true that the countries that serve as the main markets encouraging the activities of criminal cartels are co-responsible for the phenomenon of transnational crime. As a result, they should also take responsibility in responding to that scourge.

Cooperation takes on a broad range of forms that ranges from cooperation to strengthening local capacities to international covenants and standards. Guatemala has an interesting experience in having associated the United Nations, the Government of the country and the donor community in establishing the International Commission against Impunity in Guatemala (CICIG). As to international covenants and standards, just as an illustration, we are a party to the Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption and to the three international conventions against illicit trafficking in narcotic drugs and psychotropic substances. As is known, the Security Council itself as well as the General Assembly have made contributions to limiting illegal transactions in diamonds, especially when the proceeds of their trade fuel armed conflicts. All of that is a result of international cooperation.

In the third place, combating transnational crime is a highly propitious field for interregional cooperation, whether it be in West Africa or in Central America. When a group of small States faces that phenomenon, logic dictates closing ranks and cooperating to face a common challenge. For example, in our case, the Central American Governments have adopted a regional security strategy. The strategy includes four components, namely, fighting crime, preventing crime, strengthening institutions and the rehabilitation, reinsertion and management of penal systems. A Central American security commission has been established to follow up on the execution of the specific projects that are part of each of the components I have mentioned. It is supported by the close collaboration of Mexico and Colombia, as well as the cooperation of bilateral and multilateral donors. All

of that is undertaken in the framework of the Central America Integration System (SICA).

In the fourth place, transnational crime, whose purview in the United Nations tends to be concentrated in the United Nations Office on Drugs and Crime, impacts on virtually all the activities of our Organization. That is why it has been a subject of concern in the General Assembly, the Economic and Social Council, some of the subsidiary bodies of the Economic and Social Council and, of course, the Security Council, depending on the issues under consideration. It is a cross-cutting issue that, among many other aspects, has the potential to disturb international peace and security. But our preference is to address that phenomenon with a broader approach, including a strong component of alternative strategies to encourage economic agents to devote themselves to profitable and lawful activities.

Finally, precisely because of what was I said in connection with the previous point, responding to organized transnational crime requires an integral and holistic approach. It should be tackled from the supply and the demand sides of the traded goods and services. It requires strengthening our security and justice institutions for criminal prosecutions and holding people accountable. In addition, it needs to offer alternatives for those who live in the shadow of illicit activities, both the leaders of cartels as well as the great number of individuals who make their livelihood from these activities due to a lack of better opportunities.

I trust, Mr. President, that those lessons drawn from our experiences in Central America will be useful to your own region.

Mr. Haroon (Pakistan): May I congratulate Togo and the President for being with us today, which is testimony to the importance of the issue that the Security Council faces today. I believe that, by and large, all those who have spoken so far have been fully supportive of this timely initiative.

I would like to thank Mr. Ban Ki-moon, the Secretary-General, for his briefing and for his consistent efforts to monitor the situation in the region. We thank Mr. Alexander Zmeevskiy for giving us his considered opinion in this matter.

Pakistan has a long-term and deep-rooted commitment to the security and stability of West

Africa. Over the years our peacekeepers in that region have been deployed in Sierra Leone, Côte d'Ivoire and Liberia. We therefore have an abiding interest in the continued well-being of the region. Pakistan also has close relations with all countries of the Sahel region and supports the efforts of their Governments towards peace, stability and socio-economic development.

The significant challenges faced by countries of West Africa and the Sahel have serious implications for their stability and development. There are complex causes underlying the challenges, and I enumerate them here: the illegal exploitation of natural resources, foreign interference and intervention, and proliferation of small arms and light weapons. In recent times these difficulties have been exacerbated by transnational organized crime, including narcotics and weapons trafficking, piracy and terrorism, which, by undermining Governments and social and economic stability, are reversing gains that have been made, especially in post-conflict situations.

Several recent United Nations reports have highlighted the worsening security, economic and humanitarian situation in West Africa and the Sahel region as a result of those threats. According to the report of the Secretary-General on the United Nations Office for West Africa (S/2011/811), criminal organizations continue to use West Africa as a transit point for trafficking cocaine and heroin. Also, the report of the assessment mission (S/2012/42) highlighted the impact that the Libyan crisis has had on the already precarious security situation in the Sahel.

For the Sahel region, the Libyan crisis has been like a genie in a bottle. The bottle has been uncorked, and the genie is out. Many of us here are not yet even aware of the mischief that this genie continues to play in that region.

But when I am in doubt, I look upon the European Union as an important source of information. I am looking at their paper and reading from it the Strategy for Security and Development in the Sahel. The Strategy has four key issues, and I will read the first, which is the most important:

"that security and development in the Sahel" — this is very important — "cannot be separated, and that helping these countries achieve security is integral to enabling their economies to grow and poverty to be reduced."

I read further:

"The Sahel is one of the poorest regions of the world. It faces simultaneously the challenges of extreme poverty, the effects of climate change, frequent food crises, rapid population growth, fragile governance, corruption, unresolved internal tensions, the risk of violent extremism and radicalization, illicit trafficking and terrorist-linked security threats."

This, I think, is a far more comprehensive review of this region by the European Union. We should take from it. It names the three core Sahelian States as Mauritania, Mali and Niger, though the geographical conditions, and therefore challenges, also affect parts of Burkina Faso and Chad.

Why I read from this Strategy is to review the relevance of what our friends feel so strongly about in Europe, and rightly so. I believe that being among the poorest countries in the world, the Sahelian States are facing enormous stress. The proliferation of weapons from Libya has been a catastrophe. Mali already faces very significant undermining of its hard efforts to try to rebuild, as I have said, according to the European Strategy, its political-economic framework.

I would like to suggest that we have been a little lax in allowing the situation to get so far out of control. Are we really in control of the situation? The answer is "Maybe, but more likely, maybe not". The reason is that most of the institutions that are considering this region, including the United Nations Office on Drugs and Crime (UNODC), are, unfortunately, understaffed, underfinanced and overlapping on many issues. Yet nobody is in control. We have heard several members here speak of how we can bring together this sort of situation through institutionalization. We have recently done so between Iran, Pakistan and Afghanistan; already, a cache of three tons has been stopped within the last few days.

The question really is, are we interested in doing something on a piecemeal basis, or are we going to try to help this region substantially. Why do I say this? I think we have not really considered what is happening. As of today, with regard to the financing of this region, unfortunately, the Council would be surprised to know that whereas drug trafficking in the United States is \$37 billion a year, in Europe — if we do not count the recent adjustments of the euro against the dollar — it is about \$33 billion a year. They are practically at par, if

you consider the value change of the euro. According to my friends in UNODC, approximately 13 or 14 per cent of all European illicit trade from South America enters through the region we are discussing here today. We are talking about approximately \$4.25 billion dollars.

In a region where total economies are \$7 billion or \$8 billion, that amount of money traversing the countries cannot be met by just looking at it in a situation here and saying "Oh, you have not got the institutions; yet, with what you have, you need to empower them." Let us take UNODC, with a budget of \$460 million — 50 per cent of which is raised voluntarily. They give 10 per cent of that to this region. That means \$4 million to fight an ingress of \$4 billion. I do not think it is going to be handled very easily. We have not equipped ourselves in a genuine and honest way in trying to resolve this problem. I think we ought to be a little more street smart about this.

I also believe there are aspects that we tend to overlook. While I praise the African Union's Plan of Action on Drug Control and Crime Prevention, the Economic Community of West African States Regional Action Plan against organized crime and illicit drug trafficking and the West Africa Coast Initiative, their impact cannot be optimal, due to various constraints, not the least of which is that most of those countries are handling the problems individually. They are not being assisted to do this in a systematic fashion.

So while we talk about all sorts of situations, I believe that there has been a further deterioration. Interdiction efforts alone will only increase the price of drugs; it will not eliminate the problem. Today, we see a large number of people living in those regions falling victim to this consumption, and that is going to further exacerbate the situation. I believe that Europe, as the ultimate consumer, should invest a lot more and give a lot more attention to its own strategy document for security and development in the Sahel, with much larger commitments of financing and funding. I do not see that happening at the United Nations.

I believe that another aspect that, as I said earlier, must be controlled is the illegal exploitation of natural resources. Africa remains a continent with rich resources, but they have been pillaged for years. Unfortunately, we see that those who pillage these countries are very often in Government and otherwise in positions of power, but we have not understood that

we can more easily tabulate the end-users of all these pillaged products because all of them sit among us here today — maybe including myself. We must look within ourselves and be able to say "This is where this goes", and then persuade our own membership to exercise moral restraint to be able to stop this pillaging.

That has happened recently in the terrorist trade, where we have said that money cannot be sent through alternative sources; it must be sent through a banking process or it will be suspect. Surely, we can do something akin to that in helping Africa to retain for its own people the resources that are being taken away so mercilessly. Let us therefore do what the Europeans also say — let us build the capacity of the States of West Africa and the Sahel. This will help to combat transnational crime, because they know best how to handle it provided they have some resources to attend to it.

I would say that, in the end, we in the United Nations need to act coherently in this region, addressing the diverse requirements of dealing with these challenges. All relevant United Nations entities have a presence on the ground in the region, but there is a need to achieve greater coordination and synergy between their respective and individual roles. But the States of the region — and this must be reaffirmed here — must enjoy special privilege and status to deal with bringing it together; in other words, a stronger and larger presence on the stage that the United Nations sets for itself to be able to help this region.

Mr. Mehdiyev (Azerbaijan): At the outset, I would like to thank and congratulate the Togolese presidency on convening this open debate on the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region. We welcome the presence at this very important meeting of His Excellency the President of the Togolese Republic. We are also grateful to Secretary-General Ban Ki-moon for his statement and to Mr. Fedotov for his briefing.

Growing transnational threats contribute to undermining governance, social and economic development and stability, as well as peacebuilding advances in West Africa and the Sahel region. We note that, despite the fragile security situation in a number of countries in West Africa and the Sahel region, there have been no major crises reported there in recent times. We welcome the activities of the United Nations

Office for West Africa and its partners in the United Nations system, as well as of the African Union, the Economic Community of West African States and other relevant organizations that contributed to this situation. The efforts of the respective Governments in this regard should be noted as well. It is commendable that the States and leaders of West Africa and the Sahel region have adopted a number of important initiatives and measures at the national and regional levels to tackle the threat of organized crime in their region.

At the same time, despite the progress achieved, threats to peace and stability remain and require continued serious attention. Like other members of the Council, Azerbaijan is seriously concerned by the terrorist and separatist activity and increasing violence and attacks by armed groups, which have been aggravated by the illicit proliferation of weapons from within and outside the region. Nor should we underestimate the risk of the spread of weapons beyond the region, with the potential of their falling into the hands of terrorists and separatists in other parts of the world.

A stronger commitment to an international order based on the rule of law and international law is essential to cooperation among States in addressing common challenges and to contributing to the maintenance of international peace and security. Azerbaijan stresses the importance of ensuring that the sovereignty, territorial integrity, unity and political independence of the States of West Africa and the Sahel region are fully observed and respected.

It is clear that most of the countries of West Africa and the Sahel region cannot overcome threats in isolation. Even successful national efforts cannot restore overall normalcy and ensure a comprehensive solution if they are not supported by the United Nations system and the broader international community. Serious attention should be given to appeals from the respective countries, which need capacity-building and funds to counter the threats and address the challenges.

We are grateful to the Secretary-General for his initiative to deploy a United Nations inter-agency assessment mission to the Sahel region, as well as for the comprehensive report (see S/2012/42) that the mission has submitted. The analyses carried out by the mission are illustrative of the need to strengthen cooperation, including through the development of a

common approach for the Sahel region. We agree with the mission's view that any immediate long-term strategy should take into account the root causes of the problems in the region. The findings and recommendations of the mission in that regard require serious consideration, and we hope that they will contribute to enhancing the United Nations system-wide strategy to respond to the needs of the respective States.

The rise of maritime piracy is another challenge requiring a concerted effort on the part of the countries and organizations of the region, with the support of the international community. Indeed, piracy attacks in the Gulf of Guinea have become more frequent in recent months. This phenomenon represents a threat not only to peace and security, but also to the political and socio-economic development of the countries concerned.

We commend the national efforts of the affected countries to mobilize international attention to this problem. At the same time, it is vital to develop a comprehensive strategy to counter piracy, as specifically noted in the Council's resolution 2018 (2011) of 31 October 2011. In addition, it is important that the countries of the region be provided with the necessary support, including financial assistance, to strengthen their capacity to fight piracy. We look forward to discussing this topic at the debate later this month.

More should be done with respect to intercommunity and interreligious dialogue, which in our view, are of additional importance against the background of the efforts being made to ensure peace, security and stability in the region. It is obvious that success will depend on greater coherence among all stakeholders. It is therefore important and commendable that, in spite of the varied regional membership, all of the countries are willing to work in a more coordinated manner.

Last but not least, Azerbaijan supports the draft presidential statement on the topic to be issued following the debate.

Mr. Sangqu (South Africa): My delegation is pleased to see you, Mr. President, presiding over our meeting today. We welcome President Faure Essozimna Gnassingbé of Togo to the Council and are pleased that he has personally participated in this meeting. We congratulate Togo for organizing this

debate on the impact of drug trafficking and organized crime in West Africa and the Sahel region. We thank the Secretary-General and the Executive Director of the United Nations Office on Drugs and Crime (UNODC) for their informative remarks.

In recent years, West Africa has made significant progress towards security and development. The violent conflicts and election-related violence that devastated the region for many years have ended, and countries that were ravaged by conflicts are going through a post-conflict development phase. That progress is increasingly at risk from the threat posed by transnational organized crime, including with regard to illicit weapons, drug trafficking, maritime insecurity in the Gulf of Guinea and terrorism.

Drug trafficking and organized crime have negative impacts on the security and stability of States. The international community, in collaboration with the countries of the region, should continue to support regional initiatives to fight the scourge of drug trafficking and organized crime. In that regard, we are of the view that the United Nations, the African Union and the Economic Community of West African States (ECOWAS) should coordinate their efforts to support the region and the countries of the Sahel to fight organized crime.

In that regard, we welcome the initiative taken by UNODC to closely work with ECOWAS to develop a regional plan that includes aggressive measures to fight drug trafficking and organized crime in the region. South Africa is of the view that that intervention, coordinated with and integrated within the United Nations Office for West Africa (UNOWA), is in direct support to the implementation of the ECOWAS political declaration and its regional action plan on drug trafficking, organized crime and drug abuse.

South Africa supports the close collaboration on security sector reform by the West Africa Coast Initiative with the Department for Political Affairs, UNOWA, the Department of Peacekeeping Operations and INTERPOL. In our view, that is a concrete example of an integrated and effective approach to fighting drug trafficking and organized crime. South Africa encourages the countries of the region to develop an integrated drug control strategy that addresses the capacities of countries to combat drug trafficking and organized crime. In that regard, the region needs a comprehensive and integrated approach

that strengthens coordination among the countries of the region and countries of origin, transit and final destination.

The Libyan crisis has injected new elements of instability in an already vulnerable area. There is no denying the fact that the Sahel region had its own set of challenges prior to the onset of the Libyan crisis. However, literally overnight, the entire region was forced to deal with the consequences of the unfolding crisis in Libya, which brought with it an inflow of large numbers of returning jobless migrants and large quantities of weapons and ammunition. The effects of that disturbing combination manifested themselves in different forms in the different countries that comprise the Sahel. What started as a conflict in one country has now spilled over to become a regional problem with unprecedented consequences.

The proliferation of arms brings to bear greater challenges on the Sahel region, of a greater magnitude, and for Governments that already have to deal with porous borders, trafficking in drugs and weapons, and the presence of armed groups and active terrorist groups. Those challenges pose an obvious threat to international peace and security. The region has additional problems to contend with, such as increased criminal activity and armed clashes with security forces as a result of weapon trafficking from Libya, heightened radicalization and widening networks of terrorist groupings, such as Al-Qaida in the Islamic Maghreb and Boko Haram.

Clear political will exists among the States of the subregion to find common solutions to their common problems. Looking forward, we urge the United Nations system to address those challenges in a coherent and integrated manner, working in partnership with those countries and in accordance with their national and subregional structures. The international community has an important role to play in facilitating support and technical assistance through coordination by the United Nations. Such systemic interventions, managed in an integrated and coordinated manner, will constitute an investment in the long-term stability of the subregion.

Finally, South Africa fully supports the draft presidential statement to be adopted later today.

Mr. Hardeep Singh Puri (India): At the outset, I would like to welcome you, Mr. President, to the Security Council and to thank you for presiding over

this meeting. I also want to commend your delegation's leadership in organizing this timely debate and for preparing a comprehensive concept paper (S/2012/83, annex) for our deliberations today. I would also like to thank the Secretary-General for his briefing on the subject and for his several important initiatives to address the problems of transnational organized crime in West Africa and the Sahel region. I would also like to thank Mr. Yuri Fedotov, Executive Director of the United Nations Office on Drugs and Crime (UNODC), for his valuable statement.

While countries in West Africa and the Sahel are more democratic today than in the past and have achieved respectable rates of economic growth, they continue to suffer from a number of problems that have political, security and socio-economic dimensions. The importance of enduring peace, security and stability in West Africa and the Sahel region therefore cannot be overemphasized. Addressing those problems will not only help the region, but will also have a positive effect on democracy and development in Africa as a whole. A number of countries in the region, including Mali, Senegal and Guinea-Bissau, face crucial elections this year. We hope that elections will be held in a peaceful manner and will further strengthen the roots of democracy in those countries and in the larger region.

Over the past year, several problems in the region have been accentuated. Those problems transcend national boundaries and may pose long-term threats. Transnational organized crime, including illicit drug trafficking, piracy in the Gulf of Guinea and arms trafficking, are undermining efforts of Governments and international community to ensure peace and stability.

Military operations carried out ostensibly for the protection of civilians have clearly resulted in millions of civilians being adversely affected in the Sahel, Maghreb and West Africa regions. They have resulted in a deterioration of the security, economic and humanitarian situations in the entire region. In a relatively short period of time, the countries in West Africa and the Sahel have had to contend with the influx of nearly half a million returnees and a large inflow of arms and ammunition. The loss of remittances and the high unemployment among youth have exacerbated security problems, food insecurity and the nutrition crisis. Those have put tremendous burden on Governments in the region and strained their

limited capacity to deal with transnational organized crime. Recovering from the after effects of those conflicts will require concerted action by the international community.

A number of problems, including the proliferation of arms, terrorism, illicit drug trafficking, et cetera, have a regional dimension and need to be tackled through regional cooperation. Illicit drug trafficking and its growing links to the financing of terrorism, the proliferation of weapons as a result of conflicts in Côte d'Ivoire and Libya, piracy in the Gulf of Guinea and so on, demand action at the national and regional levels, with the constructive assistance of the international community. The United Nations should lead the international efforts and focus on institution- and capacity-building and on the provision of adequate resources to national authorities and regional and subregional organizations.

A comprehensive strategy to deal with the problems should include the creation of effective Government institutions, particularly in the fields of security, law enforcement, security sector reform and disarmament, demobilization and reintegration. The countries concerned should implement all legal and administrative measures to combat organized crime and related issues in accordance with resolution 1373 (2001) and other relevant regional and international instruments. The promotion of democracy and the rule of law will not only help to establish peace and security, but also help in socio-economic development. Development and employment-generation programmes should be undertaken so that youth can be weaned from criminal activities, and their energies channelled properly.

Simultaneously, the strategy should facilitate regional cooperation under the auspices of the relevant regional and subregional organizations, such as the African Union and the Economic Community of West African States (ECOWAS). In that connection, we welcome the efforts of the United Nations through the United Nations Office for West Africa (UNOWA) and UNODC to create synergies with Governments and regional organizations to tackle transnational organized crime.

It is necessary that regional initiatives by ECOWAS and the Economic Community of Central African States be implemented fully and that technical support be extended to develop coherent action plans

for addressing transnational problems. Steps by regional and subregional organizations, such as the AU plan of action on drug control and crime prevention for 2007-12, the ECOWAS regional plan of action to address illicit drug trafficking, organized crime and drug abuse for 2008-2011, the ECOWAS counter-terrorism strategy and the West Africa Coast Initiative, are welcome and need to be fully implemented.

In conclusion, we think that the United Nations should become a more effective partner of the AU in the resolution of African conflicts. The relevant United Nations agencies should support regional and subregional organizations and assist in their capacity-building and in facilitating their implementation. The United Nations offices in the region, including UNOWA, the United Nations Regional Office for Central Africa and the United Nations Office to the African Union, should look into practical and concrete ways to strengthen the efforts of national Governments and regional institutions, to bring greater coherence and coordination.

Mr. Moraes Cabral (Portugal) (*spoke in French*): We are honoured by the presence of His Excellency the President of the Togolese Republic. We thank him for presiding over this important debate and for his opening statement.

(*spoke in English*)

I thank the Togolese presidency for taking this initiative and for making possible a reflection on how to improve integrated responses from the international community to the challenge of organized crime in Western Africa and the Sahel. I would also like to thank the Secretary-General and the Executive Director of the United Nations Office on Drugs and Crime (UNODC), Ambassador Fedotov, for their very useful presentations. We agree with their analyses and recommendations.

Portugal has long been a strong supporter of a regional approach to the challenges facing West African countries. That is also a central concern of our tenure in the Security Council, one that we often stressed during the past year. In the meeting we organized during our presidency last November on new challenges to peace and security, international organized crime figured in a pre-eminent way (see S/PV.6668).

We believe that efforts aimed at tackling issues such as organized crime from a purely bilateral level are not only insufficient but can even be counterproductive. Indeed, given the transborder nature of the traffics in question, success in combating transnational crime in one single country can easily lead to increased trouble for its neighbours. Crime networks increasingly have access to new technologies and vast financial resources — often larger than those available to affected countries — which allow them to shift activities rather quickly from one country to another. In other words, organized crime and its ramifications function within a regional context, not within the framework of national borders. Therefore, responses must take that reality into account. Unless there is an effort not simply of coordination but of pooling resources, chances for long-term success in combating transnational crime are rather slim.

In the particular case of Western Africa and the Sahel, there is clearly a widespread understanding of the need for regional, multilateral solutions for the challenges posed by transnational crime. Recent United Nations reports, namely, those on the impact of the Libyan crisis in the Sahel region (see S/2012/42) and on piracy in the Gulf of Guinea (see S/2012/45), show that countries and regional and subregional organizations have in recent years launched a number of initiatives directed towards combating various forms of organized crime. In the particular case of the Sahel countries, Governments have demonstrated the political will to jointly address growing instability in the region. That is an important point, inasmuch as it highlights the centrality of locally owned solutions for the problems facing West Africa and the primary responsibility of local actors to define their priorities and their strategies. As in other areas, the role of the international community should therefore be that of assisting existing initiatives, especially by enhancing institutional capacity and promoting more cooperation and a better understanding of how comprehensive the current challenges are.

In that context, I would like to highlight three aspects, which in our opinion deserve the particular attention of the international community. First, as most studies and reports indicate, the confluence and juxtaposition of illicit trafficking, violence, corruption and terrorism represent a serious challenge to peace and security in Western Africa and the Sahel. There are documented linkages among different forms of

organized crime and also between organized crime networks and terrorist and rebel groups operating in the region. However, we still need to know more about how those linkages operate, particularly in the matters of the financing of operations, the recruitment base and the proliferation of weapons and ammunition. In the case of piracy, we must understand more clearly the connection between attacks at sea and criminal networks operating in the countries of the region.

That is why we support more systematic reporting on transnational crime trends in West Africa, as well as on the efforts undertaken to tackle those trends. But we also believe that such efforts would benefit from greater information-sharing among the countries in the region, including intelligence-sharing. International efforts should be aimed at enabling more cooperation in that respect.

Secondly, we should aim at finding an appropriate balance between repressive measures against organized crime and the need to address the social and economic context. Some of the countries in West Africa still find themselves in post-conflict situations, with fragile institutions and serious economic and social problems — chiefly very high rates of unemployment — leaving very few options open, especially for young people. Therefore, recognizing the link between security and development allows us to focus on the root causes of instability and functions as a conflict-prevention measure. The recent work of the Peacebuilding Commission (PBC) in this area, including the meeting last year of the four West African configurations to discuss the problem of transnational crime, is a good practice from which the Security Council should also benefit, through more regular interaction with the PBC.

My third point is related to the need to address the legal and institutional gaps in the region. Appropriate legal instruments and capable institutions are crucial to countering organized crime, to preventing and punishing corruption and to fighting impunity. International initiatives, such as those undertaken by UNODC and the West Africa Coast Initiative, aimed at strengthening those two dimensions by providing training and expertise, should be encouraged and strengthened as a matter of priority.

There is certainly much to be done at the national level in that respect, but given the nature of the challenges, we should focus our attention on the

development of regional instruments to tackle organized crime. Recent reports, as well as the concept note (S/2012/83, annex), have made concrete proposals to that end, but I underline in particular the priority that in our view should be given to judicial cooperation and capacity-building.

In that respect, we encourage relevant institutions, including UNODC, the United Nations Office for West Africa, the Economic Community of West African States and the African Union, to work on innovative solutions, directed at the support of appropriate judicial mechanisms to prosecute organized crime-related cases on a regional basis, thus relieving local judicial systems of the burden of having to face transnational criminal networks alone.

In that judicial perspective, we must be aware of the transnational nature of the trafficking in question, which requires that special attention be paid to developing and supporting programmes, both national and regional, aimed at strengthening border-management capacities.

I have previously mentioned various ongoing initiatives that originated in the West African region. Some of those initiatives have triggered international support for their implementation. I would mention in particular the support provided by the European Union as part of its strategy for the Sahel, which has a strong security and development focus. Ms. Helga Schmidt, Deputy Secretary-General of the European Union External Action Service, will be underlining that concrete cooperation later in this meeting. Portugal naturally supports her statement.

To be successful, international involvement requires coherence in the efforts taken by the international community. A coordinated and integrated approach is thus of the essence, building on experience gathered and on solutions and lessons learned in similar situations of concern in other regions of the world. Such an approach would help prevent the risk of duplication and ensure that international responses effectively address the multiple dimensions of such a complex phenomenon as organized crime.

As a member of the Security Council, Portugal stands ready to collaborate in our collective effort to find new and bold responses to a problem that extends beyond the West African region, and thus indeed affects us all.

The President (*spoke in French*): The Security Council has before it the text of a presidential statement to be issued on behalf of the Council on the subject of this meeting.

I thank the Council members for their valuable contributions to the statement. In accordance with the understanding reached among the members of the Council, I shall take it that the members of the Security Council agree to the statement, which will be issued as a document of the Security Council under the symbol S/PRST/2012/2.

It is so decided.

I now give the floor to Mr. José Madeira, Special Representative of the Chairperson of the African Union Commission for Counter-Terrorism Cooperation.

Mr. Madeira: I would like to begin by congratulating the Togolese Republic for assuming the presidency of the Security Council this month. Your presence here, Mr. President, is a testimony to your personal commitment and that of your country to the advancement of peace, security and stability in Africa and in the world, in general. Allow me to convey the apologies of the Chairperson of the Commission, Mr. Jean Ping, who could not be with us here today owing to prior unavoidable commitments. He wishes the Security Council successful deliberations.

The discussions we are holding today are of particular relevance to the efforts being made by the African Union (AU) to address the multifaceted challenges facing the continent in terms of peace and security. The Common African Defence and Security Policy, adopted by our Union in 2004, has clearly defined what Africa's security and stability rests upon. The Policy emphasizes not only the traditional threats, such as intra-State conflicts, but also non-traditional threats emerging from a changing international environment, including transnational organized crime ranging from arms, drugs and human trafficking to contraband smuggling, piracy and money laundering.

Today, the impact of transnational organized crime is more evident than ever before. More alarmingly, crime is converging with other transnational threats, such as extremism and terrorism. Failure to address those threats comprehensively, effectively and collectively puts at risk the very foundations of the viable democratic States in Africa that our people have been striving for since independence.

The African continent is particularly vulnerable to transnational organized crime. Porous borders, weakened State institutions as a result of prolonged civil strife, poverty, environmental degradation and challenges to securing natural resources are but a few of those vulnerabilities. A response to those threats should therefore be comprehensive and multidimensional.

More importantly, strong commitment on the part of all stakeholders is an imperative. In a globalized world, criminal networks span continents, and Africa is being affected by crime spillover from other regions. We can no longer afford to think in terms of national interests alone. We need to carefully envisage how we can best respond to internal and transnational threats.

Over the past few years, the West Africa region, the Sahel region and the continent as a whole have undertaken commendable efforts towards putting in place joint decision-making and operational mechanisms to combat crime, terrorism and piracy. Their efforts deserve the full support of the international community.

As recently as 29 January, at the initiative of the African Union, ministers and other senior officials of the countries of the Sahel region met in Addis Ababa to discuss common security challenges, on the basis of the report and recommendations of the joint AU-United Nations mission on the impact of the Libyan crisis on the Sahel region that visited the region in December 2011. I am pleased to inform the Council that in a few weeks' time an expert-level meeting will be convened by the African Union, in collaboration with United Nations, to agree on the required follow-up measures. That will be followed by a meeting of the African Union Peace and Security Council on the situation in the Sahel region.

As we redouble our efforts to confront transnational crime, we need to enhance the effectiveness of our action through institution-building and reform. Of equal importance, we must strengthen the rule of law and accountability, in order to curb crime in a sustainable manner. We also need to realize that confronting crime is not only about patrolling borders and waters. We must also commit ourselves to creating alternative economic opportunities for the most vulnerable sections of our populations by addressing the underlying socio-economic conditions that give rise to crime, poverty, environmental degradation and social exclusion.

Over the past few years, various studies and research have been conducted and many more reports written on the growing threat of transnational organized crime in West Africa, the Sahel region and Africa as a whole. Now we need to start talking about what we can do, in the spirit of shared responsibilities, to confront this menace. In Africa, efforts should focus on the implementation of and effective follow-up to the numerous instruments that have already been adopted.

I would therefore like to thank you, Mr. President, once again for your leadership and for providing us with this forum to discuss this critical issue.

The President (*spoke in French*): I now give the floor to Ms. Helga Schmid, Deputy Secretary-General of the External Action Service of the European Union.

Ms. Schmid (*spoke in French*): I would like to thank you personally, Mr. President, and the Togolese presidency for having invited me to take the floor on behalf of the European Union (EU) during this timely and relevant debate. It is an honour to be here today.

(*spoke in English*)

I would also like to thank the Secretary-General of the United Nations and the Executive Director of the United Nations Office on Drugs and Crime (UNODC) for their insightful remarks. We can only agree with all the important issues they have brought to the fore. The United Nations can count on unwavering support from the European Union to move our common, ambitious agenda forward.

Following the end of the cold war in the 1990s, West Africa has undergone a process of democratization, which has been consolidating over the years. Importantly, West African States are currently involved in a solid regional integration process. The European Union views those regional integration mechanisms as key pillars for bringing peace, security, stability and prosperity to the region.

But despite those important strides, the countries of the region still face daunting challenges, ranging from challenges to democracy, including human rights violations, weak governance and corruption, to security, economic, environmental and humanitarian challenges.

Those threats, especially in combination, could send the region's security and humanitarian situation into a deteriorating spiral. Indeed, across the Sahel

region of western Africa, a combination of drought, poverty, high grain prices, environmental degradation and chronic underdevelopment threatens to plunge millions of people into a new food and nutrition crisis this year. Twelve million people are at risk of hunger.

The European Union has already taken rapid and determined action to prevent famine in the Sahel. We are scaling up humanitarian assistance to €125.5 million for the Sahel region. Combined with at least €150 million of development assistance, that brings European Union funding for the Sahel so far this year to almost €275 million. However, it is estimated that €700 million will be required to cover the next six months. Overall, and despite many decades of effort and international aid, the situation remains very worrying.

Against that backdrop, we would like to congratulate Togo for its proactive approach and for having put the issue of organized crime so high on the agenda of its presidency. This is an important and urgent subject for the United Nations. But it is also a very important matter for the international community. These problems also seriously affect us all. Our duty is to raise awareness of these threats to peace and stability. It is also in our common interest to maintain and step up action in West Africa in the years to come. The European Union is already acting on these challenges, and it stands ready to play its role and stay the course.

The European Union has well-established and highly substantial cooperation with the region, and it is firmly committed to continuing to support West Africa in facing its challenges. Ours is a comprehensive approach, in partnership with the region, covering all the main challenges related to organized crime. That includes the Sahel and support in the fight against drugs and piracy, to recall some important examples.

For the Sahel, the European Union has recently adopted a comprehensive Strategy for Security and Development to support the countries most concerned by the problems of insecurity. The Permanent Representative of Pakistan has already referred to it in his remarks. It is an ambitious strategy, in partnership with all the European Union member States as well as with the countries of the region. It is endowed with substantial political and financial resources covering political, security, development and diplomatic action. It is a strategy building on the principle of ownership

and promoting regional cooperation among the most concerned countries.

The EU is also considering possible civilian action in the region within the realm of our Common Security and Defence Policy. But the main responsibility and leadership lies with the Sahel countries concerned.

The fight against drug trafficking is a critical challenge for West Africa. The region has given itself a promising action plan, based on the Praia Declaration against drugs. It is essential that it now be translated into concrete action. The EU has made clear its firm determination to support the region's efforts to implement the plan, and we are liaising with the United States as G8 Chair and with other partners to coordinate and maximize the impact of our support. But the main burden is on the region's shoulders; it must lead the fight, with the unfailing support of the European Union and the rest of the international community.

Piracy off the coast of West Africa is a growing problem. Escalation in both the frequency and the intensity of attacks on citizens and trade is causing a significant decline in customs and port revenues, as well as damaging the prospects of the subregion. The EU is already taking action to help the region to confront that scourge. For example, we are funding INTERPOL's development of a police information system for Ghana and Benin. Under that system, a single data base on organized crime will be created and will be made available to all 15 West African States.

Other possibilities for supporting the subregion are currently being explored. Again, West African leadership will be essential at both the national and regional levels to confront this important challenge successfully. Under the same principle of regional leadership and ownership, we fully support and welcome the increasing involvement of the Economic Community of West African States in confronting security and development challenges.

To conclude, let me underline our common objective to have a stabilized, more peaceful, democratic and prosperous West African region, an area safe for people and trade, where local governance is improved, wealth is better distributed and benefits from the natural resources reach local communities. Continued and deepened regional integration should result in effective institutions and common policies in

support of peace, stability and governance, thereby increasing prosperity. Significant improvements in good governance and human rights will also be essential in order to address the root causes of insecurity.

The EU remains deeply committed to helping West Africa, in partnership with its countries and its regional organizations.

Mr. Kogui N'Douro (Benin) (spoke in French): I would like first, Mr. President, to renew the congratulations of your friend and brother, His Excellency Mr. Boni Yayi, President of the Republic of Benin, on the outstanding election of your country, the Togolese Republic, to the Security Council as a country of West Africa and on its assumption of the presidency for this month. President Boni Yayi was unable to travel to New York in response to your invitation, for his high-level commitments as current Chairman of the African Union obliged him to remain in Africa. He asked me to represent him at this historic debate, which is of vital importance for security in Africa.

The collapse of the old regime in Libya has resulted in massive population movements and the dispersal of the arsenal of the former Libyan army. Those phenomena have considerably intensified the challenges facing West Africa, and the Sahel in particular, with respect to combating organized transnational crime. They have been destabilizing factors, increasing the strength of existing rebellions in certain States of the Sahel and leading to their radicalization. They have also led to the resurgence of pernicious forms of coordinated criminal activities, such as kidnapping with ransom demands and gun battles with security forces that are sometimes limited, due to the superior firepower of the insurgents. We must also be concerned by the infiltration of dirty money, which brings great risks to our young democracies.

I would like to thank you, Mr. President, for the high quality of the background document your country prepared to inform this debate on problems whose complexity you have highlighted (S/2012/83). The Government of Benin agrees with the analysis in the report and in this Council urgently appeals to the international community to properly assess what is at stake for international peace and security due to the situation in West Africa and the Sahel.

Our Governments are being sorely tried in the exercise of their governmental functions with respect to protecting people and property within our territories. It is difficult for them to guarantee satisfactory conditions for survival within their borders. That situation holds considerable threats not only for the inhabitants of border regions and isolated areas, who are daily exposed to increasing hardships, but also for the large urban centres. Acts of armed aggression are on the rise.

National security forces on constant alert have undertaken effective measures to combat criminal acts, including trafficking in drugs and counterfeit medicines and money laundering. To that end, the Government of Benin has just established a canine unit with sniffer dogs. Benin has adopted a systematic policy of burning all confiscated material to eliminate the risk of dispersion. The public security forces are supported by the national defence forces whenever such intervention is considered necessary for appropriate and determined measures to combat criminals in their corners. Thus, recently some godfathers of transnational crime were identified and expelled from Benin.

In that regard, Benin enjoys fruitful cooperation with its immediate neighbours, in particular with the Federal Republic of Nigeria, in coordinated efforts at the subregional level and beyond. Among the measures taken at subregional, regional and international levels, we note in particular the establishment of various legal, political and security measures and the implementation of coordinated operational activities.

Aware of existing risks, President Yayi has launched a determined fight against corruption and is promoting reforms in various areas. In order to restore respect for ethics and good professional practices, the Government has adopted a law against corruption and related misdemeanours. The law has largely been implemented throughout the entire territory by ministerial teams. Those actions are based on United Nations conventions to which Benin is party, such as the United Nations Convention against Corruption and the United Nations Convention against Transnational Organized Crime.

I take this opportunity to pay tribute to the important contribution of United Nations agencies, funds and programmes, in particular the United Nations Office on Drugs and Crime, in supporting

efforts of Governments to strengthen relevant national institutions, including judicial structures, and to enhance synergies necessary for the efficacy of policies implemented and of resources mobilized to reach that goal.

The Government of Benin welcomes the attention given to strategic relations between the Security Council and the African Union, in view of the security challenges faced by the African continent, and in particular the Council's adoption of resolution 2033 (2012), which contains relevant provisions to make possible significant improvement in interaction, cooperation, consultation and the regular coordination of activities at various levels.

The Government of Benin believes that the international community must devote greater attention to issues of public security in Africa and give greater support to individual and collective efforts of States to counteract transborder organized crime. In particular, the illicit trafficking in small arms and light weapons must be combated with greater determination, in close liaison with the African Union and subregional organizations. Particular attention should be given to the essential linkage between security challenges, developmental challenges and challenges linked to the fragility of our State institutions, in order to enable the implementation of coherent regional strategies.

An integrated approach is also necessary to address the problems of resident migrants and those in transit, unemployed citizens and scattered armed combatants. Their disarming and productive reinsertion into the economic life of their host country must be supported with appropriate measures. It is important to prevent that distressed population from being won over by armed groups that seek to destabilize States in order to take control of their resources. That is imperative to ensure effective conflict prevention.

Before I finish, I must refer to piracy and armed robbery at sea, an aspect of organized transnational crime. We welcome the Security Council's intention to allocate a special meeting to this issue during the current month. In that regard, I wish to express the thanks of His Excellency Mr. Boni Yayi, President of the Republic of Benin, to His Excellency Mr. Ban Ki-moon, Secretary-General of the United Nations, and to all members of the Security Council for the appropriate measures they have taken to assist Benin

and other countries of West Africa that are facing those serious threats of criminality in our States.

My country, Benin, is particularly grateful for the effective and efficient support of the Nigerian naval forces, alongside their Beninese brothers, in carrying out joint patrols. We also express our profound gratitude to France, the United States, the European Union, China and other States for the active solidarity they have demonstrated towards Benin and for their substantial contribution to national capacity-building in countries of the subregion.

The Government of Benin hopes that the meeting of the Security Council to deal with the report of the assessment mission that visited Benin and some other West and Central African countries in 2011 (S/2012/45) will lead to concrete measures aimed at ensuring an adequate response to existing threats.

The President (*spoke in French*): I give the floor to the representative of Côte d'Ivoire.

Mr. Bamba (Côte d'Ivoire) (*spoke in French*): Allow me to express my delegation's warmest congratulations to the President of the Council on his assumption of the presidency of the Council for the month of February, and above all on his leadership in taking the initiative to organize this debate on a topic of great importance to my country, whose security situation has obvious subregional dimensions.

That is why I wish to take advantage of this opportunity to convey the thanks of the people and Government of Côte d'Ivoire on the election of its President, Mr. Alassane Ouattara, on 17 February to head the Economic Community of West African States (ECOWAS), our common subregional organization. Through that election, the members of that organization demonstrated once again their support and encouragement to Côte d'Ivoire in its reconciliation and reconstruction efforts.

In listing the major challenges facing the subregion, President Alassane Ouattara explicitly mentioned the question on the agenda for today's debate, while setting out his thoughts on the priority actions to be taken in the areas of strengthening institutions, democracy, rule of law and good governance in order to ensure lasting peace and development in the subregion. In particular, he highlighted that our subregion faces new threats with respect to security, including the resurgence of old

conflicts that have weakened entire sections of society and threatened our defence capabilities. He called for defining a shared defence policy, for pooling our means in order to halt the upsurge in terrorism, for re-establishing control of our coastal areas that are threatened by marine piracy, and for containing the flow of arms that aggravate criminality and organized crime.

President Ouattara also stressed that in response to the security challenges and in order for ECOWAS to become a true centre of stability and a policy source, the time is ripe to strengthen strategic partnerships, especially on military issues and in order to modernize the Economic Community of West African States Monitoring Group — the peace forces of ECOWAS. To follow up, he noted the firm political will of ECOWAS to combat transnational organized crime, piracy and terrorism and has taken steps in that direction. In that context, ECOWAS intends to strengthen its strategic partnerships to better conduct its actions.

We salute resolution 2033 (2012), adopted by the Council at the conclusion of the high-level debate (S/PV.6702) that was organized under the initiative of the South African presidency of the Council and presided over by President Jacob Zuma himself. The resolution enables reactivation of Chapter VIII of the Charter of the United Nations and strengthens partnership between the United Nations and the African Union in particular.

My delegation takes note of the letter from the Secretary-General in document S/2012/42, transmitting the "Report of the assessment mission on the impact of the Libyan crisis on the Sahel region, 7 to 23 December 2011". It also notes document S/2012/83, containing the "Annex to the letter dated 8 February 2012 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General: Concept note on the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region". My delegation naturally supports the recommendations contained therein.

With regard to the recommendation of the Secretary-General that the leaders of the United Nations, the African Union and ECOWAS "move urgently to lead the efforts to mobilize international support for the implementation of the recommendations" (S/2012/42, *para. 70*), this debate should be a first significant step in that direction. It should thus help to strengthen the impetus of the

necessary multilateral partnership in combating transnational organized crime in West Africa and the Sahel region.

Furthermore, my delegation fully supports the assessment in the concept note submitted to us stating that:

“assistance from the international community that frames all of these disputes in narrow “security” terms without also taking steps to address these broader questions of conflict prevention, governance and sustainable development will not provide an effective solution”. (S/2012/83, annex, p. 4)

My delegation thus supports the idea of enhancing and systematizing strategic coordination mechanisms at the security level, with the establishment of a joint defence system, to be announced at the upcoming meeting of Chiefs of Staff of States members of ECOWAS and of the Economic Community of Central African States (ECCAS) and countries of the Sahel region, pursuant to one of the decisions of the fortieth summit of ECOWAS Heads of State and Government, held on 16 and 17 February.

In addition to the strategic coordination mechanism to be established at the security level, similar mechanisms should be implemented in the

context of economic and financial issues, as well as sustainable development. Such an approach would certainly make it possible to combat poverty and effectively bolster the fight against insecurity, in general, and transnational crime, piracy, terrorism, in particular, since the poverty of populations and the low representation of national institutions in areas of difficult access in certain Sahel countries, in particular, are used by ill-intentioned people and organizations to destabilize some ECOWAS, ECCAS and Sahel countries.

In conclusion, I would like to point out that, in order to overcome all the above-mentioned challenges, the actions of the international community should be firmly rooted in the context of establishing strategic coordination mechanisms involving both States members of the African Union and States Members of the United Nations, supported by the expertise of relevant bodies of the United Nations system and partner countries.

The President (*spoke in French*): There are a number of speakers remaining on the list for this meeting. I intend, with the concurrence of Council members, to suspend the meeting until 3 p.m.

The meeting was suspended at 1.15 p.m.



Security Council

Sixty-seventh year

Provisional

6718th meeting

Wednesday, 22 February 2012, 10 a.m.
New York

<i>President:</i>	Mr. Ohin	(Togo)
<i>Members:</i>	Azerbaijan	Mr. Mehdiyev
	China	Mr. Wang Min
	Colombia	Mr. Osorio
	France	Mr. Araud
	Germany	Mr. Wittig
	Guatemala	Mr. Rosenthal
	India	Mr. Manjeev Singh Puri
	Morocco	Mr. Bouchaara
	Pakistan	Mr. Tarar
	Portugal	Mr. Cabral
	Russian Federation	Mr. Pankin
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

The situation in Somalia

Special report of the Secretary-General on Somalia (S/2012/74)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Somalia

Special report of the Secretary-General on Somalia (S/2012/74)

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda.

I should like to draw the attention of the members of the Council to the special report of the Secretary-General on Somalia, which has been issued as document S/2012/74.

Members of the Council have before them document S/2012/104, which contains the text of a draft resolution submitted by the United Kingdom of Great Britain and Northern Ireland.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Azerbaijan, China, Colombia, France, Germany, Guatemala, India, Morocco, Pakistan, Portugal, Russian Federation, South Africa, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in French*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2036 (2012).

I shall now give the floor to members of the Council who wish to make statements following the voting.

Sir Mark Lyall Grant (United Kingdom): The United Kingdom sponsored resolution 2036 (2012) because the African Union Mission in Somalia (AMISOM) needs the right support to help it work with the Somali security forces to secure a more stable and peaceful Somalia. The resolution gives AMISOM the troops and resources necessary to enable it to effectively capitalize on the gains already made and to increase the military pressure on Al-Shabaab.

I am grateful for colleagues' support during the negotiations on the resolution. It marks an important step in advance of the London conference on Somalia tomorrow, which will look at the wider international approach to Somalia.

The Council's decision today was informed by a joint United Nations-African Union planning on AMISOM in a technical assessment mission, the development of an African Union-AMISOM strategic concept and the Secretary-General's special report (S/2012/74) on AMISOM. The AMISOM strategic concept and the Secretary-General's report gave the Council a clear view on what AMISOM needed to make progress in Somalia.

AMISOM needed troop levels to increase to 17,731, and it needed more sustainable and predictable funding. The resolution adopted today gives AMISOM those tools, increasing troop numbers to the required level and increasing funding for the AMISOM operation from the United Nations logistical package. The resolution also gives AMISOM a clearer mandate to operate, promoting effective regional coordination and cooperation and stressing the importance of the development of effective Somali security forces. That is important to ensure that military action in Somalia is undertaken carefully and contributes to the wider political strategy for Somalia.

An expanded and better resourced AMISOM will help increase areas of stability in Somalia. It will help the political process in Somalia by enabling Somalis outside the capital to take part in the political and constitutional process, making that process more representative and legitimate. Expanding AMISOM to areas beyond Mogadishu will increase the pressure on Al-Shabaab and further decrease the space available to it.

Capacity-building needs to be at the heart of the relationship between the United Nations and the African Union (AU) and its subregional organizations. That will help those organizations to deliver the responsibilities they have assumed for peace and security on the continent and to build on the progress made in developing the African peace and security architecture. We encourage the cooperation and coordination between the AU and the United Nations on AMISOM to continue and to develop in the future.

The United Kingdom recognizes the important role that regional organizations can play in the pursuit

of peace and security in Africa and elsewhere. AMISOM's success demonstrates that. The resolution adopted today provides AMISOM with the support it needs and deserves.

Ms. Rice (United States of America): The United States is pleased to have voted in favour of resolution 2036 (2012). The Transitional Federal Government of Somalia (TFG) and the African Union Mission in Somalia (AMISOM) need to work together in fighting Al-Shabaab. This resolution supports that goal. The expansion of the AMISOM troop contingent and the accompanying growth of the logistical support package administered by the United Nations Support Office for AMISOM could make a decisive difference in weakening terrorism and bringing peace. In the short term, we hope that the strengthened United Nations commitment will help to make tomorrow's London conference on Somalia a success.

The United States will continue its strong bilateral support for AMISOM troop-contributing countries, which to date has totalled over \$338 million. We urge other Member States to also provide assistance. We call on new donors to play a part in the effort to support the TFG's national security forces, which urgently require assistance. We look forward to a strong, continuing conversation in the Council and between the Security Council and the African Union (AU) on AMISOM's progress, needs and challenges. We will continue to monitor how best to support AMISOM in the months to come.

We regret that the Council did not include support for maritime assets for AMISOM at this stage. We consider maritime assets to be valuable in achieving AMISOM's overall security objectives, and we hope that the Council will revisit that discussion in the coming months.

With today's resolution, the Security Council is demonstrating its backing for an African-led regional security initiative. We commend the Governments of Burundi and Uganda for their commitment, and we welcome Djibouti's initial deployment. We urge all countries contributing troops to AMISOM to adhere to prescribed command-and-control arrangements. We also welcome today's decision to incorporate Kenyan military efforts into AMISOM's strategic objectives and mandate. We urge other African Union partners to contribute troops as soon as possible to help AMISOM reach a strength of 17,731 uniformed personnel and to

capitalize on AMISOM's historic successes against Al-Shabaab.

Of course, the situation in Somalia cannot be resolved by military force alone. The Transitional Federal Government must seize the opportunity provided by AMISOM and the Somali national security forces. It must complete the tasks laid out in the Kampala Accord, the road map to end the transition in Somalia and the Garowe Principles. There must be no extension of the TFG's mandate beyond 20 August. The time for political progress is now.

At the request of the TFG, the Security Council has taken important steps today to further degrade Al-Shabaab by cutting off one of its primary revenue streams — charcoal exports. The charcoal ban will also reduce a serious environmental threat that impacts food security in Somalia. We urge all Member States to take rapid, effective steps to meet their responsibilities to comply with that obligation and to immediately implement the ban on charcoal.

In concluding, let me emphasize the United States ongoing commitment to Somalia, to the AU and to AMISOM. We will continue to work with the international community to help end the threat of terrorism and the suffering of the Somali people.

Mr. Cabral (Portugal): Portugal has always been supportive of the African Union's efforts in Somalia. Within the European Union, we have consistently supported the financing requests for the African Union Mission in Somalia (AMISOM) through the African Peace Facility. As members of the Council, we have constructively engaged to address the African Union's concerns and AMISOM's needs. It is in this same constructive spirit that we have once more voted in favour of strengthening the African Union Mission in Somalia.

We feel nevertheless that it is important to bear in mind, as the Secretary-General acknowledges in his latest report on Somalia (S/2012/74), the current environment of global financial constraint, to which the United Nations peacekeeping budget is not immune. Hence, it is imperative to seek additional funding for AMISOM and to broaden its international donor base. The forthcoming London conference should be instrumental in that regard. Moreover, the additional efforts that we are all willing to make at the security and military levels — and in that regard allow me to commend the hard work and sacrifices of

AMISOM's regional partners and of the Somali security forces — should be accompanied by a serious commitment on the part of the Somali political leaders to the political process.

Portugal takes note of the recent agreement of the second set of Garowe Principles on federalism, system of Government and ending the transition by operationalizing the first set of Garowe Principles, and we take this opportunity to urge the Transitional Federal Institutions and all road map signatories to redouble their efforts. Turning those decisions into reality is another significant step that the Somalis themselves need to take towards a stable and viable State that will pave the way for a better future for the Somali people.

Mr. Manjeev Singh Puri (India): The African Union Mission in Somalia (AMISOM) is today the mainstay of the efforts of the international community to stabilize the security situation in Somalia. We strongly commend the countries contributing troops to AMISOM for their commitment to the Mission and for the sacrifices their men have made.

Despite its limited resources, AMISOM has made significant achievements in the implementation of its mandate over the past year. The Mission therefore deserves more support from the international community. In that connection, we welcome AMISOM's new strategic concept, developed jointly by the African Union and the United Nations. We think that the full implementation of that concept has the potential to accelerate the stabilization of the security situation in Somalia. That, in turn, will facilitate political stabilization and also improve the socio-economic and humanitarian situations.

We voted in favour of resolution 2036 (2012) today because it strengthens AMISOM and provides it with more predictable and sustainable resources, including force enablers and multipliers. We are disappointed, however, that the resolution does not include naval assets for contingent-owned equipment reimbursement. We are of the view that the proposed maritime component of AMISOM, limited as it is, is integral to the new strategic concept and thus to the success of the Mission. The pacification of the Somali coastline is essential not only to depriving Al-Shabaab of port revenues and export earnings, but also to dealing with the ever-increasing menace of piracy and hostage-taking. We therefore expect that the Council

will address this shortcoming when it next considers AMISOM's mandate.

Mr. Sangqu (South Africa): South Africa welcomes the adoption of resolution 2036 (2012) on enhancing the African Union Mission in Somalia (AMISOM). The resolution comes at a critical stage when the Transitional Federal Government in Somalia continues to make significant progress in the implementation of the road map, as witnessed at the Garowe conferences. The security situation in Somalia has also witnessed a marked improvement, with AMISOM patrolling almost 90 per cent of Mogadishu. Despite all the positive developments, we are not oblivious to the many challenges still besetting the country at the political, security and humanitarian levels.

The resolution just adopted offers a significant improvement in the logistical support package provided to AMISOM and increases the troop level from 12,000 to 17,731. As the recent report of the Secretary-General states, the revised African Union-United Nations joint strategic concept of the for AMISOM "represents the most pragmatic way forward, in view of the prevailing circumstances on the ground, even though confronted with risks and challenges" (*S/2012/74, para. 43*).

We are therefore concerned that not all of the proposals of the Secretary-General and the African Union have been taken into account. Full support for the strategic concept is necessary to the effective implementation of AMISOM's operations. We also regret that the hurried manner in which the text of the resolution was negotiated has compelled us to adopt a resolution that does not take into account all of our concerns. For example, the resolution makes no mention of the essential maritime component, and does not explicitly mention the intention of rehabilitating AMISOM once conditions allow. We hope that these issues will be addressed through bilateral and multilateral support, including uncaveated contributions of support to the AMISOM Trust Fund and in future resolutions.

We look forward to the London conference to be held tomorrow, which we hope will garner a unified international response to the political, security and humanitarian challenges confronting Somalia. This should be an opportunity to consolidate existing measures and efforts to resolve the Somali crisis. We

encourage greater strategic coherence between the United Nations and the African Union, in line with resolution 2033 (2012).

Finally, South Africa believes that the only sustainable resolution of the Somali crisis is through an all-inclusive Somali-led dialogue and consultation process in line with the Djibouti Agreement.

Mr. Wittig (Germany): Germany has always been supportive of the African Union Mission in Somalia (AMISOM) and its troop contributors. We commend the Mission, which operates under very difficult circumstances and has sacrificed and achieved a lot. It is the determination and commitment of these African Union forces that have improved the security situation on the ground in the past months. We will continue to provide support to AMISOM in the framework of the United Nations, the European Union and bilaterally. Furthermore, my country actively engages in the European Union training mission for Somali security forces and international efforts to combat piracy off Somalia's coast.

Resolution 2036 (2012) recognizes the support provided to Somalia by bilateral partners and regional organizations. I would like to recall once more the substantial contributions made by the European Union, currently and in the past, and I call on all States members of the United Nations and regional organizations, and especially those that have not contributed so far, to join in these efforts. In adopting resolution 2036 (2012) on the eve of the important London conference, the Council has shown its commitment to and ongoing support for AMISOM and the Somali people. The members of the Council are willing to seize the opportunity on the ground and to enhance their support for the African Union in a considerable manner.

As has been said before, all international efforts will fail if the Somalis themselves fail to reconcile, to move towards better governance, and to build new Somali institutions that provide for peaceful and decent lives for the Somali people. Therefore, in resolution 2036 (2012) we urgently call on the Somali actors to comply with the road map and to speed up its implementation. We call for the speedy establishment of Somali security forces and administrative structures, especially in those areas that have been secured by AMISOM. Finally, we recall that action must be taken against the spoilers of the peace process.

For Germany, the ultimate goal of all efforts remains a united and functioning Somali State. AMISOM cannot continue indefinitely. The current situation calls for the establishment of security and of a responsible and representative Somali Government that promotes the political process and the delivery of basic services to Somali citizens.

All of this requires a solid framework. The adoption of a new, legitimate constitution would be a very important step in this direction. Only such steps, implemented by responsible Somali actors, can lay the basis for a State in which AMISOM would be able to leave after having successfully fulfilled its tasks.

Mr. Araud (France) (spoke in French): The situation in Somalia is worrisome and demands the international community's priority attention. This is why we voted in favour of resolution 2036 (2012) today. We hope that it will contribute to the success of African Union Mission in Somalia (AMISOM). We pay tribute to its personnel, who are carrying out a difficult and critical task on the ground.

The adoption of resolution 2036 (2012) bears witness to the commitment of the international community and should lead Somalis to take up their responsibilities so as to resolve the crisis in their country. That will require the development of a sound political strategy and effective administration in the liberated zones of the country. We hope that the London conference on Somalia will allow for progress in that respect.

We must also encourage the development of the Somali security forces. The European Union is making significant contributions to that end and preparing to strengthen its support to the maritime and legal capacities of Somalia and the other countries of the region. Others should contribute to that effort. Finally, the Somali authorities must be fully committed to combating piracy, including on the legal front.

I stress the importance of the financial support to AMISOM that is provided by the European Union, which is financing personnel to the tune of some €130 million. Obviously, the European Union, whose members already contribute more than 40 per cent of the budgets of United Nations peacekeeping operations, cannot alone assume the entire financial burden for the implementation of the decision taken today by the Council. That would be taxing the European Union

twofold. We therefore call for new donors to commit financially to the funding of AMISOM.

In conclusion, I recall the need for strategic consideration of the future of peacekeeping operations in general. Increasing troop levels alone cannot guarantee the success of such missions. We must also ensure that costs are controlled in an Organization where five countries cover more than 60 per cent of the budget of peacekeeping operations. In the context of a

global financial crisis, this is a limitation that the Secretariat and all relevant players must take more fully into account. We shall continue to accord great attention to that issue.

The President (*spoke in French*): The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.40 a.m.



Security Council

Sixty-seventh year

Provisional

6719th meeting

Wednesday, 22 February 2012, 10.45 a.m.

New York

<i>President:</i>	Mr. Ohin	(Togo)
<i>Members:</i>	Azerbaijan	Mr. Mehdiyev
	China	Ms. Guo Xiaomei
	Colombia	Mr. Osorio
	France	Mr. Bonne
	Germany	Mr. Eick
	Guatemala	Mr. Rosenthal
	India	Mr. Manjeev Singh Puri
	Morocco	Mr. Bouchaara
	Pakistan	Mr. Tarar
	Portugal	Mr. Vaz Patto
	Russian Federation	Mr. Karev
	South Africa	Mr. Tladi
	United Kingdom of Great Britain and Northern Ireland . . .	Sir Mark Lyall Grant
	United States of America	Mr. DeLaurentis

Agenda

The situation in Somalia

Report of the Secretary-General on specialized anti-piracy courts in Somalia and other States in the region (S/2012/50)

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12-23794 (E)



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The meeting was called to order at 10.45 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Somalia

Report of the Secretary-General on specialized anti-piracy courts in Somalia and other States in the region (S/2012/50)

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Somalia to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Ms. Patricia O'Brien, Under-Secretary-General for Legal Affairs and Legal Counsel of the United Nations, to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Yuri Fedotov, Executive Director of the United Nations Office on Drugs and Crime, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2012/50, which contains the report of the Secretary-General on specialized anti-piracy courts in Somalia and other States in the region.

I now give the floor to Ms. O'Brien.

Ms. O'Brien: I am pleased, on behalf of the Secretary-General, to have this opportunity to present his report on specialized anti-piracy courts in Somalia and other States in the region (S/2012/50), alongside Mr. Fedotov, Executive Director of the United Nations Office on Drugs and Crime (UNODC). The Secretary-General has consistently pressed the United Nations and other international organizations to do more to contribute to a solution to the complex problem of piracy off the coast of Somalia. He has been concerned also by the spread of this scourge to other regions and the consequent human and economic costs.

The United Nations continues to stand ready to assist the international community to respond in the most effective way possible to counter piracy. Council

members will recall that, as far back as March 2009, the Secretary-General dispatched me on a mission to Kenya to discuss the issue with the Kenyan authorities and the United Nations offices active on the ground. In April last year, he dispatched me again to represent him at the conference organized and hosted by the Government of the United Arab Emirates on "Global Challenge, Regional Responses: Forging a Common Approach to Maritime Piracy".

The Secretary-General himself will attend the London conference on Somalia, to be attended by Heads of State and Government and other senior representatives. Today's meeting of the Security Council to consider the Secretary-General's report marks the beginning of a busy schedule in which the international community is focusing its attention on the need to counter piracy effectively and to bring the terrible human suffering and economic costs to an end.

The London conference will provide an important opportunity for the international community to discuss piracy in the context of the wider issues facing Somalia. The hope and expectation are to drive forward the progress that has been made in a number of areas. It will be followed in March by meetings of the working groups of the Contact Group on Piracy off the Coast of Somalia, which will be able to follow up and implement the elements agreed at the political level.

The priority and importance that my Office gives to piracy reflect the Security Council's close attention to that serious issue. The human cost of piracy off the coast of Somalia is incalculable, with killings and widespread hostage-taking. Although the numbers of incidents of piracy off the coast of Somalia declined during 2011, as did the success rate of such attacks, there were nevertheless 265 hostages being held at the end of 2011. Increasing levels of violence and the expanding geographical scope of the attacks are all extremely worrying.

As I said when presenting the previous report (S/2011/360) on behalf of the Secretary-General in June last year (S/PV.6560), the problem of piracy clearly demonstrates the increasing interdependence of States and people in a globalized world. The human, commercial and security interests under threat engage a large number of States and international and regional organizations that all have a stake in finding a solution.

Against that background, the Secretary-General's report on specialized anti-piracy courts is the third in a

series of such reports requested by the Security Council that I believe will assist the Council's deliberations. As with the previous reports, it has been prepared by my Office in close consultation with Mr. Fedotov's Office and the United Nations Development Programme (UNDP). We have, of course, been working very closely throughout the entire process with our colleagues in UNODC, both in Vienna and in Nairobi.

The report has also had input from the Department of Political Affairs, the United Nations Political Office for Somalia and the International Maritime Organization. Consultations have been held with the Department of Peacekeeping Operations, the Department of Safety and Security, the Office of the United Nations High Commissioner for Human Rights and INTERPOL. In responding to the Security Council's request in resolution 2015 (2011), UNDP and UNODC have conducted detailed consultations with the relevant police, prosecution, judicial and prison authorities in the concerned regional States. Senior members of the Office of Legal Affairs have followed up with consultations with the Governments concerned through their Permanent Missions in New York.

The Security Council's request to the Secretary-General in resolution 2015 (2011) focuses on further consultations with Somalia and other States in the region willing to establish specialized anti-piracy courts. At the outset, it is important to recognize that a great deal is already being done to ensure the prosecution of piracy suspects. A total of 20 States worldwide have been prosecuting, or have prosecuted, a total of 1,063 piracy suspects since 2006. Of that total, more than 900 of the suspects have been prosecuted in 11 States in the region.

Of those 11 States in the region, five are prosecuting piracy suspects with the assistance of the United Nations, or are seriously considering doing so. They are Somalia, Seychelles, Kenya, Mauritius and Tanzania. I am most grateful to those States for their cooperation in the preparation of the report and for their dedication in combating piracy. In respect of Somalia, the report deals with Puntland and Somaliland, as those are the regions where the security situation, although not ideal, allows for international assistance for prosecutions to be delivered.

A point made firmly to us in the course of the consultations, which has been reflected in the report, is

that the States in the region that are conducting piracy prosecutions have taken on a heavy responsibility that entails a commitment of national resources, as well as security risks. It is key that the international community both acknowledge the important prosecution role that they are playing and match their commitment with strong international support and assistance. They each underlined the continuing need for contributions by States, international organizations and the shipping industry to the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia. Before outlining the substance of the report, I would like to mention three initial points as to its scope.

The first point is that the Security Council's request in resolution 2015 (2011) concerns national courts in Somalia and other States in the region. It does so by requesting the Secretary-General, UNODC and UNDP to conduct consultations with Somalia and other States in the region that are willing to establish specialized anti-piracy courts, and that the consultations concern the kind of international assistance, including the provision of international personnel, required to make such courts operational.

The courts that are the subject of the Security Council's request, therefore, are courts established by the regional States themselves — their own domestic courts. The request does not concern the range of other options for special domestic chambers, possibly with international components, a regional tribunal or an international tribunal. Those were all the subject of the Security Council's first request to the Secretary-General in resolution 1918 (2010), and were dealt with in the Secretary-General's report dated 26 July 2010 (S/2010/394).

Secondly, the Security Council's request in resolution 2015 (2011) does not expressly mention the possibility of a Somali specialized anti-piracy court sitting extraterritorially in the territory of another State in the region, as proposed by the Special Adviser of the Secretary-General, Mr. Jack Lang. That was the subject of the Secretary-General's second report, dated 15 June 2011. However, as Mr. Lang's proposal concerns a national Somali court, not any form of international court, we have briefly reviewed it again in the context of the current report. That can be found in paragraphs 37 and 38 of the current report.

The third point that I would like to make concerns the words "specialized anti-piracy courts" in

the Security Council's request. Consultations with the national authorities of the five States concerned indicate that they would not favour establishing new special courts with jurisdiction exclusive to piracy offences. They consider that that would constrain scarce prosecution and judicial resources to piracy cases in the absence of any certainty that they would be consistently and fully occupied. The term "specialized anti-piracy court" is therefore used in the report to refer to a court operating under national law, with international assistance, with a focus on the prosecution of piracy cases.

Turning to the substance of the report, the Security Council's request asks, in particular, about the kinds of international assistance needed for specialized anti-piracy courts, including the provision of international personnel, the projected case capacities of such courts, and the timeline and costs for their establishment. We have addressed each of those aspects of the request through detailed consultations with the relevant police, prosecution, judicial and prison authorities of the five regional States.

In respect of each of Puntland, Somaliland, Seychelles, Kenya, Mauritius and Tanzania, the report analyses, first, the current capacity to investigate and conduct piracy prosecutions and to imprison those convicted. In doing so, it sets out the international assistance that has been provided to date. Secondly, the report analyses the potential case-load capacity that each of those jurisdictions could achieve through the provision of further international assistance. In other words, it sets out the number of cases that could be prosecuted per year in accordance with international standards if capacity were maximized through the provision of further international assistance.

On that basis, the conclusion of the report is that those jurisdictions collectively could achieve a total of around 125 piracy prosecutions per year, with up to 10 suspects in each case. Therefore, if international assistance were maximized, up to 1,250 piracy suspects could be prosecuted each year in accordance with international standards. That increase in capacity could be achieved within two years in Puntland and Somaliland, with an additional year of mentoring and monitoring, and within one year in each of the other jurisdictions, although the assistance should be maintained beyond one year in order to sustain the results.

The cost of the assistance for prosecutions set out in the report over a three-year period in Puntland and Somaliland would total a little more than \$7 million, and over a two-year period in the four remaining regional States around \$9.5 million. The potential is therefore for more suspects to be prosecuted per year in those five regional States than the total number of piracy suspects prosecuted globally since 2006, and at a cost that is modest, I suggest, compared to that of any of the existing international or hybrid tribunals. However, the maximum caseload capacity that I have just described is not necessarily a recommended target. I will outline the reasons for this.

First, the size and resources of the various jurisdictions considered in the report vary considerably. The projected maximum capacities for each are based on the best estimates of UNDP and UNODC. They are not necessarily guaranteed.

Secondly, the report outlines a possible discrepancy between the maximum achievable caseload capacity and the actual demand for prosecutions being generated by the capture of piracy suspects at sea by naval forces off the coast of Somalia. The three naval coalitions engaged in anti-piracy operations off the coast of Somalia made only three requests to regional States — Kenya and Seychelles — for the transfer of piracy suspects in 2011, involving a total of 42 suspects. The transfer of all of these suspects was accepted. Only one incident was reported by the naval coalitions in which the suspects were released in circumstances where there may have been sufficient evidence to pursue prosecution.

We do not know the reasons underlying this low number of requests for transfer to regional States. It may be, therefore, that some further research and analysis would be needed before any decisions are finalized regarding the caseload capacities that should be aimed for in the courts of the regional States. The Special Adviser to the Secretary-General, Mr. Jack Lang, reported in January 2011 that around 90 per cent of those apprehended at sea are released. If such a large number of suspects are being released at sea, it would be key to the effectiveness of the international community's efforts to combat piracy to determine why this is the case.

Working Groups 1 and 2 of the Contact Group on Piracy off the Coast of Somalia might wish to take up this question. These are the Working Groups dealing

with operational coordination matters and legal issues, respectively.

A further important development that I would like to draw to the attention of the Council is the willingness of the Government of Seychelles to host a regional prosecution centre. UNODC is already providing assistance to this end. Consistent with the principles identified by Mr. Jack Lang, the purpose of the centre is to act as a focal point for regional and international support for the prosecution of piracy suspects, and to provide a location offering relative logistical ease for their transfer by naval forces.

I would like to take this opportunity to commend the Government of Seychelles for this initiative. The willingness of the Government to host a regional prosecution centre is, understandably, contingent upon there being an effective post-trial transfer framework in place so that those convicted can serve their sentences in Somalia. This is a further important consideration that has been prominent in each of the three reports of the Secretary-General. Prosecutions in the region will meet a bottleneck unless there is international assistance to ensure sufficient prison spaces to accommodate those convicted, ideally in Somalia.

Seychelles will also open, in the course of this year, the Regional Anti-Piracy Prosecution and Intelligence Coordination Centre. The Centre will develop the regional expertise to track piracy finances and develop cases for the prosecution of those who plan, organize and finance piracy attacks. This is a most important development that accords with the emphasis of the Security Council in its resolution 2015 (2011) on the need to prosecute not only suspects captured at sea, but also the key figures of the criminal networks who organize and profit from piracy attacks.

In this regard, I would also like to draw attention to the newly established Working Group 5 of the Contact Group, chaired by Italy, focusing on the illicit financial flows associated with piracy, with a view to disrupting the financing and planning of piracy attacks.

Finally, I would like to draw attention to the detailed implementation proposals for specialized anti-piracy courts set out in the report, as requested by the Security Council in resolution 2015 (2011).

These are divided into measures of a more general nature, including a number that may be considered by the Council itself, and specific measures

of assistance to be taken by UNDP and UNODC. Again, I should underline that these specific implementation measures are included on the basis of maximizing the caseload capacities of the courts in Puntland, Somaliland, Seychelles, Kenya, Mauritius and Tanzania. Before such measures are taken, it may be necessary for further research and analysis to be carried out to consider the actual demand for prosecutions in these States, which is likely to be generated by requests for the transfer of suspects apprehended at sea by naval forces.

The President (*spoke in French*): I thank Ms. O'Brien for her briefing.

I now give the floor to Mr. Fedotov.

Mr. Fedotov: Resolution 2036 (2012), which was just adopted, stresses the need to investigate, prosecute, imprison when duly convicted pirates and those who illicitly finance, plan, organize and unlawfully profit from piracy attacks.

It is an honour for the United Nations Office on Drugs and Crime (UNODC) to update the Council on what UNODC is doing to address this challenge. Since I briefed the Council on this issue last year, the piracy threat has continued to grow. Based on our data, in 2011 pirates received about \$170 million in ransom for hijacked vessels and crews. The figure has risen since the previous year, 2010, when ransoms paid amounted to over \$110 million. The average payment made to pirates last year was about \$5 million, instead of \$4 or \$3 million in previous years. Also, as much as \$10 million was paid for the release of a tanker.

The ransom money from piracy is flowing into the legal financial system at an increasing rate. The laundering of piracy proceeds is causing steep price rises in the Horn of Africa and the surrounding areas, and the money is also being reinvested in criminal activities that are not limited to piracy. Drug, weapon and alcohol smuggling, as well as human trafficking, also benefit from the proceeds of piracy.

Although UNODC is unaware of an ideological link between Al-Shabaab, which has joined Al-Qaida, and pirates, there is strong evidence of cooperation in furtherance of the two groups' aims. Therefore, piracy is creating a clear threat to the stability of the region.

I listened very carefully to the statement of my colleague, Ms. O'Brien, and she facilitated my task. I can speak in lesser detail, although I will quote some

figures. I hope that our figures will ultimately coincide. UNODC Global Programme against Money-Laundering (GPML) is engaged in cooperation with other United Nations agencies and Member States within Working Group 5 of the Contact Group on Piracy off the Coast of Somalia. The Programme is helping to increase awareness of illicit money flows linked to piracy. Central to GPML activities is its support for financial intelligence units and law enforcement agencies in East Africa. We organized two international conferences on illicit financial flows last year — one in Nairobi and another in Djibouti. We are now working, under a programme with the World Bank and INTERPOL, on a report on illicit financial flows linked to piracy, which will be published at the end of this year.

To make our efforts more effective, we need broader international support beyond this region. That is the most efficient way to sever the arteries that sustain piracy. At the same time, of course, we are continuing to address the crime of piracy. UNODC's counter-piracy programme is providing support to regional countries that agree to take piracy suspects.

We are working in particular through extensive training programmes for police, prosecutors, judges and prison personnel in Kenya, Seychelles and Mauritius, as well as within Somalia itself, where security conditions allow. The programme started in 2009 with a budget of \$500,000, which this year has expanded to \$40 million. This year we will be allocating some \$16 million to cover a range of technical assistance to the countries of the region.

Our piracy prisoner transfer programme supports the transfer of convicted pirates back to Somalia to serve their sentences, while building capacities to ensure that prison conditions meet international standards. UNODC has built a model prison in Hargaisa, Somaliland. Construction of a prison academy has begun in Garowe, Puntland. Construction of a court, a farm and a 500-man prison will soon follow. Under the programme, we are also training prison staff, mentoring staff and prisoners, and monitoring prisons on a full-time basis. In Kenya and Seychelles, UNODC has refurbished prisons, built courtrooms and provided transport.

The assistance provided is strengthening the overall criminal justice system in those countries and

helping it to become fair, efficient and consistent with human rights standards.

Based on our review and the latest data, which I received just yesterday, 1,116 Somali men are being, or have been, prosecuted for piracy in a total of 20 countries around the world, and 688 in the region. In Kenya, 168 pirates are being, or have been, prosecuted; 50 have been convicted, and 10 have completed their sentence; 17 have been acquitted; and the remainder are awaiting trial.

In the Seychelles, 88 pirates are being, or have been, prosecuted; 63 have been convicted; and the remainder are awaiting trial.

Mauritius has signed a transfer agreement with the European Union (EU) and will accept the transfer of piracy suspects for prosecution. A joint EU/UNODC programme is now being implemented that will support the Government of Mauritius in prosecuting pirates.

UNODC's counter-piracy programme is contributing to criminal justice systems in the region. However, the presence of child pirates within those systems represents a complex issue, on which I must from time to time answer questions from Member States. In the absence of birth certificates or any other forms of identification, courts in Kenya and Seychelles rely on medical advice in determining the age of pirate suspects; as a result, they have determined that seven of the 252 pirate suspects are under 18 — one in Seychelles and six in Kenya.

The counter-piracy programme is currently developing an advocacy programme to reach out to Somali youth. It will liaise with key stakeholders, including community leaders, politicians and religious leaders. Television, radio and print media will be used in the programme. Our advocacy programme complements United Nations Development Programme activities on alternative livelihoods that will use microfinance projects, among others, to show Somali youth that there are sustainable choices other than piracy.

Overall, the issue of piracy requires a strong inter-agency approach that addresses not only the law-enforcement and judiciary aspects of the problem, but its root causes in Somalia itself, as well as in the world's financial centres.

The President (*spoke in French*): I shall now give the floor to the members of the Council.

Mr. Karev (Russian Federation) (*spoke in Russian*): We thank you, Mr. President, for having convened this meeting to discuss this most important issue.

This is the second day that the Council has been seized of the issue of threats to international peace and security emanating from transnational organized crime. Yesterday we spoke of West Africa and neighbouring countries. Today, we are talking about East Africa and the issue of piracy. This underscores once again the need for the Council to devote increasing attention to those growing threats.

We thank Ms. O'Brien and Mr. Fedotov for their briefings on key components of the report of the Secretary-General (S/2012/50), distributed to the Council in accordance with resolution 2015 (2011). The report makes clear that many issues remain in connection with the process of establishing effective legal mechanisms, with international participation, specialized primarily in the prosecution of pirates operating off the Somali coast. The report underscores the fact that in spite of the scaled-up efforts made by the international community, the business of piracy is flourishing and expanding. The most recent data provided by the International Maritime Organization indicates that the ransoms paid to pirates and aggregate economic losses from piracy total \$12 billion per year. Those figures speak for themselves.

These developments result first and foremost from the prevailing political and economic situation in Somalia. However, it is clear that in the absence of the appropriate capacities for tackling the issue of pirate impunity in the general context of counter-piracy, the situation is unlikely to improve.

Signs of major improvements in the prosecution of pirates are not yet evident. Indeed, the report reiterates that the overwhelming majority of suspected pirates are released. In 2011, there were only four cases in which detainees were transferred to States of the region for prosecution by national courts.

The recent experiences of our colleagues from the Danish naval forces are just another example of that trend. The situation is such that in Somaliland, almost 100 convicted pirates were released. It is easy to understand why naval personnel in most cases prefer to avoid detaining alleged pirates. They understand the difficulties they would face in attempting to transfer them to regional courts. Moreover, there is no

guarantee that convicted pirates, once released, will not once again join the ranks of pirate armies.

We are interested in studying the root causes of the situation. This is not just an issue involving a lack of prisons or the limited capacities of local justice systems. Ambiguity remains in important aspects of the relevant legal proceedings — detention, transfer, evidence collection — and thus in terms of prospects for the prosecution of pirates.

Russia attaches great importance to continuing efforts to strengthen the judicial and law-enforcement capacities of the countries of the region. We note the important contributions made by the United Nations Office on Drugs and Crime (UNODC). If the international community continues to support current mechanisms for prosecution over the next two years, the situation will turn around. At present, however, we unfortunately do not see a basis for such optimism. The resources of national legal systems of coastal States are obviously limited, and, even with the most intensive assistance to capacity-building, those States alone cannot deal with the large number of pirates. The information contained in the report makes this clearly evident.

It is encouraging that the Council is essentially of the view that additional measures are necessary for the prosecution of pirates, mindful as it is that the foundation of an effective anti-piracy justice mechanism consists of the national justice systems of the States of the region.

In that respect, we thank the Governments of Seychelles, Tanzania, Kenya and Mauritius for their demonstrated interest in cooperation with the international community on this matter. As the report of the Secretary-General makes clear, these countries satisfy the necessary conditions for successful joint work in this field. Following the publication of the report, the Government of Qatar expressed its readiness to establish an anti-piracy judicial mechanism on its territory, for which we are also very grateful.

We continue to attach great importance to the international component of efforts to bring pirates to justice. In our view, international participation, which is already partially under way in the region, is key to resolving many issues. That would include increasing the effectiveness of legal proceedings and compliance with recognized standards of justice. Russia is prepared to consider different formats of international

cooperation. However, most promising in our view is the direct participation of highly qualified foreign specialists and anti-piracy proceedings.

We were also intrigued by the report's idea of improving anti-piracy laws, building and equipping new legal institutions, and selecting international personnel. Given the limited financial capacities, we think it would be advisable at this stage to concentrate efforts on establishing anti-piracy legal mechanisms with international participation in those countries of the region that have demonstrated absolute readiness to implement such measures.

In conclusion, Mr. President, we should like to assure you that the Russian Federation shall continue to do its utmost to resolve the issue of piracy off the Somali coast.

Mr. Manjeev Singh Puri (India): Let me begin by thanking Under-Secretary-General O'Brien and the Executive Director of the United Nations Office on Drugs and Crime (UNODC), Mr. Yuri Fedotov, for their valuable statements concerning the specialized anti-piracy courts in Somalia and other States in the region. I would also like to thank the Secretary-General for his report on the subject (S/2012/50).

The report presents a grim picture of the piracy scenario off the coast of Somalia. It notes that, during 2011, there were 286 attacks against ships in the waters off the coast of Somalia, of which 31 were successful. As of 20 December 2011, 13 ships were held by pirates, with a total of 265 hostages. Despite a reduction in the number of successful attacks, the total number of pirate attacks continues to be high. We also note that the geographic spread of pirate activities has expanded into the Red Sea, the Somali Basin and into the western Indian Ocean. Pirates now operate in the high seas at distances of up to 1,750 nautical miles from the coast of Somalia, covering a geographical area of roughly 2.8 million square miles. The pirates have continued to deter action by navies through the greater use of captured ships and dhows as mother ships, often retaining the captured crews onboard as human shields. Violence against seafarers continues to be reported, and the safety and security of seafarers remain a matter of very serious concern.

The report notes that consultations with Somalia have indicated that the Somali authorities continue not to favour the establishment of a Somali court outside the territory of Somalia, preferring that any assistance

for new courts be implemented within Somalia. At the same time, Somalia also faces challenges in relation to the adequacy of the legislative basis for piracy prosecutions and the level of training and qualifications of Somali judges, prosecutors and other legal professionals. These challenges need to be addressed on a priority basis.

Given the continuation of the Somali authorities not being favourably disposed towards the establishment of a Somali court outside the territory of Somalia, a fresh look at possible solutions is necessary. Piracy off the coast of Somalia emanates from the Somali problem, and the solution needs to have Somalia's concurrence and the support of its institutions. The imposition of external solutions will not work in the long run, especially when the regional States have a clear preference for the transfer of convicted offenders to Somalia to enable them to serve their remaining sentence there.

In this context, it is important to note that in view of the continuing challenges facing the establishment of an extraterritorial Somali anti-piracy court at this stage, Working Group 2 of the Contact Group on Piracy off the Coast of Somalia has discussed the possibility of developing a regional prosecution center, for example in Seychelles. Its purpose would be to act as focal point for regional and international support to the prosecution of piracy suspects and to provide a location offering relative logistical ease for their transfer by naval forces. As the regional prosecution centre would be based in the national legal system of Seychelles, it would be cost-effective and easy to set up.

The views of the Somali authorities on this matter should be obtained in consultation with the United Nations Development Programme (UNDP) and UNODC. We also request the Secretariat to work out the modalities of establishing such a focal point and its likely impact on the overall prosecution and punishment of pirates, as well as those involved in the financing and laundering of the proceeds of piracy and armed robbery at sea.

The Secretary-General has also suggested detailed implementation proposals for the specialized anti-piracy courts in Somalia, Tanzania, Seychelles and Mauritius. Those implementation proposals are important and need to be considered and further discussed by the Council, as well as by UNDP and

UNODC. We fully support the Secretary-General's view that, as a first step, an assessment — with the assistance of the naval coalitions and other States active in naval operations — is necessary to determine the number of piracy incidents where the suspects are apprehended but released and the reasons underlying the releases. That assessment is a precondition for assessing the required national and regional capacity for prosecuting and incarcerating pirates. We also agree with the Secretary-General's conclusion that such information would assist the Security Council in its consideration of the most effective measures to combat piracy off the coast of Somalia, and regional States and the United Nations in determining the likely anticipated demand for prosecution capacity in the region for the foreseeable future.

A decision from the budgetary point of view would also be useful. Before coming to a final view on the establishment of extraterritorial Somali courts, there is a need to consider the estimated annual costs of the establishment of such extraterritorial courts, in consultation with the interested regional States and concerned United Nations agencies. The need for stand-alone premises and to assess associated security costs; the salaries and other expenses of international experts, including judges and prosecutors, including from the Somali diaspora; and the sources of such funding on a sustained long-term basis are important.

In conclusion, the Secretary-General's report raises important issues and made valuable suggestions that need to be further considered and developed. The solution to the problem of piracy in Somalia lies not at sea, but on land. It is important that the Transitional Federal Institutions in Somalia follow the road map with sincerity and commitment. We also support the strengthening of national and regional capacities in the drafting of national anti-piracy legislation and the investigation, prosecution and sentencing of suspected pirates. The prosecution of those involved in the financing of pirate activities, and the cooperation of States in the sharing of information and evidence concerning such persons and activities, including in the release of hostages, are equally important.

Mr. Bouchaara (Morocco) (*spoke in French*): First of all, I would like to thank the Togolese presidency for scheduling today's important meeting, and I thank you personally, Mr. Minister, for your presence today in the Council. It testifies to your country's commitment to important African causes, and

we thank you most sincerely. Our thanks go as well to Ms. Patricia O'Brien and to Mr. Yuri Fedotov for their comprehensive and lucid briefings.

The report of the Secretary-General before us today (S/2012/50) presents a series of measures that could have a positive effect in the fight against and repression of piracy off the Somali coast. Despite the reduction in acts of piracy during 2011, that scourge is still a major cause for concern because of its human cost, with the taking of hostages and its destabilizing effects on the society and economy of Somalia, but also, more importantly, the threat it poses to the stability of the region as a whole.

To fight piracy effectively and to put an end to impunity require, as the Secretary-General's report amply shows, comprehensive arrangements of measures and actions. Those arrangements should include strengthening investigation capacities, setting up an effective, adapted legislative framework and establishing jurisdiction, with the necessary human and material means.

The States of the region have not lagged in deploying considerable efforts to bring to justice and to imprison those guilty of piracy, and they have devoted considerable resources to that end. However, establishing a juridical framework to address piracy will not have much impact without adequate laws and sufficient prison capacity. A legislative framework in keeping with international law in the matter, particularly the United Nations Convention on the Law of the Sea and international norms of human rights, is one of the necessary conditions for effectively fighting piracy.

To ensure the effectiveness of the various anti-piracy jurisdictions, better training is necessary, especially for judges, prosecutors, defence attorneys and other legal professionals. Moreover, it is necessary to increase prison capacity in Somalia and other countries in the region to hold those found guilty in accordance with requisite international norms, in order to ensure the effectiveness of the entire legal system to be established for the fight against piracy.

I take this opportunity to commend the support of the United Nations Development Programme and the United Nations Office on Drugs and Crime in helping Somalia and other countries of the region in the legal, juridical and penal fields, with an eye to fighting impunity for piracy. I also commend the work of the

Contact Group on Piracy off the Coast of Somalia, whose contribution is significant in promoting an effective global response to the problem.

My delegation supports the Secretary-General's call to the international community to offer significant aid to Somalia and other countries of the region to implement the measures necessary to fight the scourge of piracy. In that regard, we commend the London Conference on Somalia, which, among other things, may spur a coordinated international response to fight piracy off the coast of Somalia.

As for the judicial responses envisaged, particularly the establishment of an extraterritorial Somali court, it is important that the views of the concerned countries in the region be taken into account to ensure their ownership of and engagement in the implementation of those solutions. Moreover, it is important, given the urgency of the situation and the threats posed by piracy, that decisions in this matter be made as soon as possible.

Actions against piracy should also include pursuing those people suspected of financing, planning and organizing this type of act. In that context, my delegation notes with appreciation the initiative to establish a regional centre in Seychelles to coordinate prosecution and intelligence, in order to improve tracking the piracy financing trail.

Finally, I want to underline that while bringing to justice and imprisoning pirates is necessary to fight piracy — and especially to fight impunity — it is no less important to address the root causes of the problem through political stabilization in Somalia.

Mr. DeLaurentis (United States of America): We thank the Secretary-General for producing his informative report (S/2012/50), and Under-Secretary-General O'Brien and Executive Director Fedotov for their briefings today. We believe that the report, prepared in conjunction with the United Nations Office on Drugs and Crime (UNODC) and the United Nations Development Programme (UNDP), provides an excellent blueprint for moving forward on the piracy prosecution front. Among other things, the report provides a most useful and very comprehensive needs assessment with respect to ongoing efforts in various regional States, laying out clearly what the current state of play is in each venue and pinpointing specific measures that need to be taken in order to move to the operational phase.

Even as piracy continues to present challenges off the coast of Somalia, we are cautiously optimistic about some of the findings in the Secretary-General's report, including that the success rate of attacks decreased in 2011. As more nations implement the guidance provided by the International Maritime Organization — the industry-developed best-management practices for protection against Somalia-based piracy — and employ the use of privately contracted armed security personnel, we are hopeful that the numbers will continue to decrease. However, we remain extremely concerned by reports that the geographical expanse of pirate operations is intruding into the southern Red Sea and extending as far as the eastern Indian Ocean.

In addition to the human toll associated with piracy, the economic costs of dealing with the piracy threat are staggering. The grim statistics reinforce the need, as one part of the solution to the piracy problem, to establish specialized anti-piracy courts and increase the capacity to conduct prosecutions. We note that an ultimate goal in this regard is enhancing Somali responsibility and active involvement in efforts to prosecute and incarcerate suspected pirates. As one aspect of that, we stress the importance of the Transitional Federal Government of Somalia enacting anti-piracy legislation by 18 May, as called for in the road map to end the transition, and the Transitional Federal Parliament passing appropriate counter-piracy legislation before the end of the transitional period in August.

We applaud the tremendous amount of work already under way by the UNODC, UNDP and others to assist Somalia and regional States in conducting piracy prosecutions. We are very encouraged by the projection that, with assistance, States in the region could collectively increase the number of piracy prosecutions per year by 125, involving up to 1,250 suspects, in accordance with international standards. That includes, as appropriate, prosecution of planners, facilitators and financiers of piracy attacks.

We thank, among others, the Government of the Seychelles for its indication of willingness to host a regional prosecution centre, contingent on the establishment of an effective post-trial transfer framework, and we look forward to the opening this year of its Regional Anti-Piracy Prosecution and Intelligence Coordination Centre. We also acknowledge Council resolution 2020 (2011) and its

commendation of INTERPOL for the creation of a global piracy database designed to consolidate information about piracy off the coast of Somalia and facilitate the development of actionable analysis for law enforcement. We urge all States to share such information with INTERPOL for use in the database through appropriate channels.

We recognize that any increase in prosecution capacity in the region necessarily will require an increase in prison capacity. In that regard, we support the continuing efforts of Somali authorities, UNODC, UNDP and other international partners in supporting the construction and responsible operation of suitable and sufficient prisons in Somalia and elsewhere in the region. For its part, the United States will continue to aggressively prosecute suspected pirates in cases with a United States nexus. We have in custody a total of 28 Somalis at various stages of prosecution or incarceration, in five cases of attacks on American citizens or interests.

We believe that the report (S/2012/50) of the Secretary-General demonstrates that the experts of UNODC, UNDP, the Contact Group on Piracy off the Coast of Somalia and other stakeholders understand clearly the problems and needs with respect to piracy prosecutions and how best to address those needs. That is why contributions to the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia are so vitally important to permit timely implementation by UNODC, UNDP and others of as many of the specific steps called for in the Secretary-General's report as possible. The United States contributes regularly to the Trust Fund and is confident that projects it funds are making a real difference in building capacity related to the rule of law in the region, and specifically to countering piracy.

We also recognize the importance to Seychelles and other States of the region of international assistance efforts in the form of the provision of personnel, as called for in the report. We are studying ways in which we can contribute materially to the joint United Kingdom-Seychelles proposed regional anti-piracy prosecution intelligence and information centre to be located in Victoria, and believe that the centre will make a material contribution to the international efforts to disrupt the piracy enterprise ashore.

Finally, we endorse the report's suggestion that, as a logical next step, an assessment be conducted, with the assistance of States active in naval operations, to help to determine the number of piracy incidents where suspects are apprehended and released, as well as the reasons underlying those releases. As the report notes, that will assist both in sharpening the counter-piracy strategy and determining the likely anticipated demand for prosecution capacity in the region for the foreseeable future.

Mr. Osorio (Colombia) (*spoke in Spanish*): We have taken careful note of the report (S/2012/50) of the Secretary-General on the establishment of specialized anti-piracy courts in Somalia and other States in the region. We are grateful for the important remarks made by Ms. Patricia O'Brien, Under-Secretary-General for Legal Affairs, as well as by Mr. Yuri Fedotov, Executive Director of the United Nations Office on Drugs and Crime (UNODC).

In spite of the reduction in the number of attacks along Somali coasts in the past year, the total number of pirate attacks continues to be high. The broadening geographic scope and increasing sophistication of pirate operations are a source of concern, as are the high number of hostages still being held and incidents of violence against crews, including their use as human shields.

Piracy is yet another consequence of the institutional fragility and precarious economic conditions in Somalia. Although international cooperation in providing security for navigation, prevent attacks and capture pirates has yielded some positive results, we believe that security along Somalia's coasts will be built on land. As both the main source and victim of that crime, Somalia must therefore participate comprehensively in resolving this problem.

In order to respond effectively and sustainably to the problem of piracy, it is necessary to restore peace in Somalia and to foment its social and economic development. To that end, it is necessary to strengthen institutions in a manner that the economic, security, judicial and penal and components can be acted on simultaneously. Such an approach must in turn be focused on preventing and punishing acts of piracy, so as to continue to strengthen every link in the chain of measures against that crime. In that regard, it is crucially important that the Somali people see piracy as

an activity that diminishes their development options, and that there is therefore reason to oppose it.

Similarly, we Somalia's sovereignty over its land and maritime resources should be restored. To that end, it is essential to resolve the legal issue of the delimitation of the marine space, so as to bring it into line with international law and thereby clearly establish the marine territory, the exclusive economic zone and the maritime borders with Kenya, Djibouti and Yemen.

With a view to improving security, the international community should continue to support the forces of the Transitional Federal Government to enable them to carry out their activities on both land and in its coastal waters. To that end, there is a need to improve monitoring and identification with regard to the arms embargo, as well as to consider the possibility of imposing sanctions.

Somalia should assume responsibility for legal proceedings to suppress acts of piracy and put an end to the impunity enjoyed by pirates. There is also a need to make progress in establishing Somali legal instruments that make it possible to try suspected pirates, strengthen Somalia's legal capacity and provide penal facilities where those found guilty can serve their sentences in Somalia.

Without ignoring the importance of an ongoing commitment by the international community to provide assistance and capacity-building in strengthening the legislative, judicial and penal system, the primary responsibility in combating piracy and armed robbery along Somalia's coasts falls on the Transitional Federal Government. Before the transition period comes to an end, it is essential that the legal, penal and procedural framework be reformed in order to adopt appropriate laws on piracy in conformity with the United Nations Convention on the Law of the Sea.

With regard to the jurisdiction of specialized tribunals in Somalia and other States of the region, the goal should be to have courts that have broad jurisdiction that can exercise that jurisdiction both in cases involving common pirates and those having to do with the financing, planning and organizing acts of piracy. While courts to deal with the latter are more complicated and require greater specialization and more time to become fully operational, they can have a greater impact on preventing and eradicating this crime.

My delegation believes that the establishing a specialized extraterritorial Somali court should include the agreement of the Transitional Federal Government and be considered as an interim step whose ultimate goal is to try those suspected of committing acts of piracy within Somalia.

We appreciate the efforts made by Seychelles to set up a regional anti-piracy prosecution intelligence and information coordination centre that would act as a forum for coordinating regional and international support for prosecuting suspected pirates. Such a centre could serve as a logistical facility for the transfer of suspected pirates by naval forces, and could also help to strengthen the rule of law in Somalia.

The agreements reached in the context of the second Constitutional Conference, held in Garowe, to bring the transition period to an end and move ahead with the establishment of a new federal Government in Somalia serve as an important basis for launching a strategy to combat piracy in which each of the regions sees itself as a part of the same country and understands the need to increase cooperation among themselves in order to ensure the success of the initiatives.

We believe that a lasting and stable solution to the problem should be part of the efforts carried out to resolve the Somali crisis and strengthen the rule of law in the country. Any viable option will require adopting a comprehensive approach that includes an institutional structure that ensures governance and makes it possible to pursue Somalia's economic and social development.

Prosecutions may prove pointless if they are not accompanied by the establishment of alternatives to piracy for the Somali people based on investments in communities that produce domestic revenues that contribute to the development of a formal economy.

Ms. Guo Xiaomei (China) (*spoke in Chinese*): First, I wish to thank the Under-Secretary-General, Ms. O'Brien, and the Executive Director of the United Nations Office on Drugs and Crime, Mr. Fedotov, for their briefings.

The root cause of the Somali piracy issue is on land, and therefore it should be treated in terms of both symptoms and root causes. The key is to achieve peace and stability in Somalia and to promote its economic and social development. Therefore, the Transitional Federal Government of Somalia and the international

community should adopt an integrated strategy and promote works in various fields in a balanced manner.

We welcome the important consensus reached by the parties concerned in Somalia with regard to the key transition task of drafting a constitution and deciding the country's future political system. We call on the international community to continue its efforts to assist Somalia to achieve peace and development.

With regard to the establishment of Somali specialized anti-piracy courts, I wish to emphasize the following.

First, we believe that prosecuting and imprisoning Somali pirates and ending their impunity is an important aspect of combating Somali pirates. We are open to the choice of means to achieve that objective and are willing to explore all possibilities, including the establishment of specialized anti-piracy courts in Somalia and other countries of the region.

Secondly, we have taken note of the problems involved in establishing such courts in or outside Somalia and that the parties concerned have not reached an agreement. As reflected in the report of the Secretary-General (S/2012/50), this idea still faces various political, legal and security challenges. We support the international community continuing its efforts to find the most feasible and effective solution while giving due respect to the views of Somalia and the other countries concerned in the region.

Thirdly, irrespective of whether the anti-piracy courts in Somalia can be established in the short term, strengthening the capacity of Somalia and other countries of the region has always been key to the successful prosecution and incarceration of Somali pirates. We have noticed that with assistance from such agencies as the United Nations Development Programme (UNDP) and the United Nations Office on Drugs and Crime (UNODC), judicial capacity-building in Somalia and other countries in the region — such as Seychelles, Kenya, Mauritius and Tanzania — is making good progress. We appreciate the efforts by UNDP and UNODC and the other countries concerned, and we call on the international community to continue this assistance to Somalia and other countries of the region to further enhance their capacity.

Mr. Vaz Patto (Portugal) (*spoke in French*): Mr. President, I welcome your presence among us today.

(*spoke in English*)

I would like to start by thanking the presidency of Togo for having organized this briefing and the Legal Counsel, Ms. Patricia O'Brien, for her very comprehensive presentation of the Secretary-General's report (S/2012/50). I also wish to thank the Executive Director of the United Nations Office on Drugs and Crime (UNODC), Ambassador Yuri Fedotov, for his participation in this briefing, bearing in mind the important role UNODC is called to play in helping build a solution to the problem of piracy off the coast of Somalia. The report of the Secretary-General is both comprehensive and action-oriented. We would like to take this opportunity to thank the Secretariat and the Office of Legal Affairs for the good work done.

The phenomenon of piracy off the coast of Somalia has its roots in Somalia. It feeds on lawlessness and overall impunity and benefits from conditions on the ground that are deficient for fighting this scourge through Somali institutions, an efficient judiciary and an appropriate system for the rule of law.

The dimension of the problem is such that it transcends the territory of Somalia. It spills over its borders, with a serious negative impact on the neighbouring countries, on the region and on the commercial flux of international navigation that runs through the region. Moreover, the phenomenon continues to spread like an epidemic to other countries in the region, which must now also resort to prompt, appropriate measures to fight this scourge if they want to avoid becoming themselves easy prey of the strong networks of pirates with known links to other types of transnational organized crime through financing of criminal activities, including terrorism.

The complexity of these activities and the way they may interlink and potentiate dangerous transnational effects make it advisable that the international community remain vigilant and prepared to act whenever the situation so requires.

There is indeed a role for the Security Council in monitoring these new threats, which have the potential to seriously endanger peace and security. This is why we continue to encourage the Council not to disregard its preventive role in closely monitoring such situations. Last November, under our presidency of the Council, we organized a meeting on new challenges to peace and security (see S/PV.6668), having in mind precisely the importance of the Council closely

following these and other potential threats from the perspective of prevention.

We are therefore very pleased with the fact that the report dedicates a significant part of its focus and recommendations to the need to strengthen the legal and judiciary capacity in the neighbouring countries and the regions of Somalia, including, in particular, Puntland and Somaliland. We fully support those efforts, and we think that reinforcing those capacities has now become part and parcel of the overall solution to piracy in the region.

It is an undeniable fact: the dimension of the problem requires an ensemble of measures and efforts by many actors. We encourage those that can be undertaken by the countries in the region, such as Seychelles, Kenya, Tanzania and Mauritius, to help in this regard, with the support of the United Nations Development Programme and UNODC. Therefore, we support the recommendations in the report that aim at increasing programmes of assistance and capacity-building in these countries and regions, to help them to fight impunity for acts of piracy.

We find, however, that more has to be done to involve Somalia in all those efforts. In our view, no solution can be sustained unless Somalia, as a whole, is able to cope with this problem, with appropriate Somali law and with Somali courts and judiciary — in all, a Somali solution to a problem that has its roots in Somalia. The important report by Mr. Jack Lang (S/2011/30, annex) already pointed clearly to that reality. We cannot avoid it, and the international community has to address it comprehensively by helping build the needed capacity in Somalia, helping it to regain economic and social development and security levels that may enable it to overcome the present difficult situation and avoid becoming an increasingly easy target and prey of organized crime and terrorism networks.

In this sense, we encourage further efforts by the United Nations to assist Somalia to adopt the necessary anti-piracy legislation and to establish the necessary judiciary structures, with participation of international assistance and relevant expertise, as necessary. Extraterritorial Somali courts, as suggested in Mr. Lang's report, could also be useful tools, in our view, to be used as a transitory measure while the necessary security conditions on the ground are not yet met. That is particularly important with regard to the

detention and trial of piracy leaders as a vital approach to disrupt the organized networks that support piracy.

We look forward to the next opportunity to discuss these issues and trust that implementation of the recommendations in the Secretary-General's report, together with the contribution of the international community and the Security Council, will make a positive and definitive impact in the fight against impunity for acts of piracy in the region.

Mr. Rosenthal (Guatemala) (*spoke in Spanish*): We would like to thank the Under-Secretary-General for Legal Affairs, Patricia O'Brien, for her detailed presentation of the Secretary-General's report (S/2012/50). We would also like to express our thanks for the briefing that was given by Mr. Yuri Fedotov, Executive Director of the United Nations Office on Drugs and Crime. We commend the efforts that have been undertaken to date by the Secretary-General, together with the United Nations Development Programme and the United Nations Office on Drugs and Crime and the Special Adviser on Legal Issues Related to Piracy off the Coast of Somalia. Those measures have allowed a considerable enhancement of the capacities to enforce the rule of law and to find a solution to such a complex issue.

We note that the percentage of recorded pirate attacks decreased in 2011 thanks to the combination of effective measures including, among others, naval operations and the institution of improved anti-piracy management practices on the part of the shipping industry itself to combat piracy off the coast of Somalia.

We believe that the report provides a basis for moving forward towards establishing an effective system for trying and imprisoning pirates. It is important to analyse in detail the constitutional and legal framework for establishing new anti-piracy tribunals and for defining their potential material and procedural bases, taking into account the multiple problems that the issue poses.

On the other hand, we believe that this debate is linked to resolution 2036 (2012), which was adopted this morning, and to the consultations that we have been holding with regard to the future operations of the African Union Mission in Somalia (AMISOM). Any initiative that supports stabilization in Somalia will have an impact on the illegal activities that are taking place off its coasts.

We are aware of the fact that Somalia cannot address piracy in isolation and that, over the past few years, the phenomenon has taken on a regional dimension. In that regard, Guatemala can contribute its own experience. For, although they are different phenomena, we have been able to address the fight against impunity with United Nations support by establishing the International Commission against Impunity in Guatemala. That joint initiative between the Government of Guatemala and the United Nations strengthened the entire judicial and prosecutorial system in our country and gave rise to a culture of combating impunity.

In order to avoid impunity and to discourage new attacks, it is essential to achieve appropriate and speedy trials of those suspected of acts of piracy and to ensure their post-trial imprisonment. We fully support increased assistance from the United Nations to the States of the region to build the necessary capacities to bring pirates to trial and, in the event, to imprison them. The United Nations should focus its efforts on the following key elements, namely, legislative reforms, capacity-building for judging and bringing to trial cases of piracy, effective implementation of the law and improvements to the prison infrastructure in Somalia and in the States of the region. In that respect, Guatemala supports the establishment of specialized courts for piracy committed off the coast of Somalia.

Finally, we believe it is important to take into account the position of the Transitional Federal Government and of the Somali people. At the same time, as part of its programme of institutional enhancement, Somalia must update its legal framework and should adopt a package of anti-piracy laws before the end of the transition period.

Mr. Bonne (France) (*spoke in French*): I would like to thank Ms. O'Brien and Mr. Fedotov for their presentations. I would also thank the Secretary-General for his report (S/2012/50).

For several years now, the Council has regularly discussed the scourge of piracy along the Somali coast. When Mr. Jack Lang presented his report on the legal issues related to piracy in early 2011, there was a general sense of urgency. Today, on the eve of the major conference that will be held tomorrow in London, the diagnosis remains the same. According to statistics, the number of attacks against ships along the Somali coast reached record levels in 2011. It is true

that the number and success rate of such attacks have decreased over the past few months, but at what price?

We cannot continue indefinitely to support the immense security efforts that our naval forces provide in the waters of the region. The pirates are shifting their base of action by virtue of our presence, while crews taken hostage are used as human shields and are increasingly led to land. In other terms, there has yet to be a structural improvement. Moreover, there is no credible solution for enticing young Somalis towards other activities. Nor — and this is the subject of today's discussion — has there been a consistent, effective judicial response.

Why do we still lack an operational legal strategy? Today's two briefings gave us the answer. The first obstacle, which is enormous, is the absence of Somali legislation. It is not possible to construct an entire, efficient anti-piracy system in the region and to organize legal cooperation without adequate Somali legislation. The road map called upon the Federal Transitional Government to adopt such legislation before 18 May 2012. Today we are told that the prospects for new legislation will be better after the end of the transition period, when a new Parliament will have been seated. We find that information troubling, as it represents a new delay in drafting legislation. Our message to the Somali authorities on this issue is therefore be clear: progress must be made.

The legal framework in Puntland and Somaliland are no longer operational, according to the Secretary-General's report. One need not read between the lines to understand that the legislative effort needed to address the scope of the problem has not been made.

The second obstacle concerns Somali legal capacities. We all rightly advocate a Somali solution, but the Secretary-General's report is unambiguous. The shortage and poor training of legal professionals, and the security situation, including in Puntland and Somaliland, limits the possibilities for such capacity-building.

Given such challenges, Mr. Jack Lang proposed a bold solution that involved creating a specialized Somali court that would be temporarily located elsewhere, either in Arusha, as Tanzania has agreed, or somewhere else. I understand that there is a proposal from Qatar on the table. There is a need to at last take a practical decision. In the absence of a Somali court abroad, we are in effect forcing the countries of the

region to bear the lion's share of the legal work. Kenya, Tanzania, Seychelles and Mauritius should be commended for their contribution. We will carefully consider the Secretariat's proposals for capacity-building in those countries and for creating specialized courts where none exist. However, it is unreasonable to think that the countries of the regions can alone address the full breadth of the problem. Let us not lose sight of the Somali solution. It continues to be relevant.

We estimate that 75 per cent of the pirates captured are released without prosecution. Others have estimated the rate is 40 per cent. The Secretariat, in its report, has proposed a study on the scope and root causes of this phenomenon, but to us it seems sufficient to read the report, which explains the legal uncertainties, to understand the reason for this phenomenon.

The adoption of effective Somali legislation must be a priority. All relevant actors, including the United Nations Office of Legal Affairs, the United Nations Development Programme (UNDP) and the United Nations Office for Drugs and Crime, must follow up on that issue and, if necessary, call on the Council in the event that new obstacles appear. Again, without the necessary legislation, we can build nothing sustainable.

Our efforts must also focus on strengthening judicial and prison capacities, not just on the latter aspect. France believes we must sustain a genuine Somalization of the judicial treatment of piracy, which cannot be boiled down to building more prison capacity in Somaliland and Puntland.

Beyond the training of judges and legal professionals, as is being undertaken by UNDP with support from France, we believe it may be useful to provide assistance to prosecutors in building cases. The centre in Seychelles must maintain direct contact with the Somali authorities. Without engaging international judges or prosecutors, it is still possible to dispatch advisors to work with Somali magistrates, while taking due account of security issues. These advisors may not reside permanently in Somalia. We are ready to work with members of the Council and the Secretariat to make rapid and concrete progress.

Mr. Tarar (Pakistan): The Pakistani delegation thanks the Under-Secretary-General for Legal Affairs and the Executive Director of the United Nations

Office for Drugs and Crime (UNODC) for their briefings.

Piracy off the coast of Somalia is a serious problem that threatens maritime traffic in the Horn of Africa, endangers the lives of the crews on board, and impacts commerce and trade in the region and beyond. While a decline in the incidence of piracy was recorded in 2011 as compared with preceding years, the menace is far from being eradicated. A recent report by the International Maritime Organization indicates that in 2011 there were, on average, two pirate attacks every three days. The threat posed by pirates to the peace and stability of Somali coastal areas and hinterlands has not diminished with the declining incidence of piracy.

Pakistan is of the view that the eradication of piracy would require a concerted long-term strategy involving a truly integrated approach that encompasses political, security and governance tracks. Traditional measures, as stressed in today's briefing, form an essential element of the integrated approach that we have been emphasizing. The effective prosecution and correction of pirates through judicial means will supplement the important work done by international naval forces to interdict pirates.

The Secretary-General's report (S/2012/50) and the briefing today have empirically evaluated the administrative and financial details involved in setting up regional prosecution mechanisms. In view of its unique situation, tackling piracy has become a shared responsibility. We value the support provided by Seychelles, Kenya, Mauritius and Tanzania in assisting with the prosecution of pirates. International assistance with the capacity-building of the judicial sectors of countries in the region will be critical. It is also important to accommodate the views of Somalia in this arrangement.

In principle, we associate ourselves with the idea of setting up a regional prosecution centre in Seychelles, subject to the consent of the host Government. An effective post-trial transfer framework must be in place if the regional prosecution centre to be effective. We hope that the next meeting of the Contact Group on Piracy off the Coast of Somalia will also deliberate on the prosecution capacity of States in the region.

For our part, Pakistan is currently playing a role in a number of counter-piracy operations. We have participated in the two naval task force operations, Combined Task Force 150 for countering piracy in the

Gulf of Aden, and Combined Task Force 151 for countering piracy off the coast of Somalia. Pakistan assumed command of Combined Task Force 151 in November 2011.

As others have said, no measure to counter piracy can be effective without taking into account the root causes related to the political and security situation in Somalia. Building State capacity in Somalia, preventing environmental degradation of its coastal waters and improving employment opportunities would be imperative to reducing the propensity of local youth to opt for piracy. An effective way to combat piracy, in the context of overall efforts for peace and security in Somalia, is to provide more support to the African Union Mission in Somalia (AMISOM). I take this opportunity to welcome the adoption of resolution 2036 (2012) on strengthening AMISOM. With the resolution adopted today, AMISOM is closer to the African Union's strategic concept paper.

We also welcome the London conference on Somalia being held tomorrow. We hope that its deliberations will go a long way in promoting peace and stability in Somalia and combating the menace of piracy.

Mr. Eick (Germany): I would like to thank Under-Secretary-General O'Brien and Executive Director Fedotov for their comprehensive briefings, as well as the United Nations Development Programme (UNDP), the United Nations Office for Drugs and Crime (UNODC) and the United Nations Political Office for Somalia (UNPOS), which have all contributed to the Secretary-General's report (S/2012/50). We greatly appreciate this detailed, hands-on compilation of issues and requirements relevant to establishing specialized anti-piracy courts in Somalia and other States of the region.

Germany has a long-standing commitment to combating piracy off the coast of Somalia and in the region, including through our participation in Operation Atalanta and our contribution to the work of the Contact Group on Piracy off the Coast of Somalia. Germany has provided substantial support to the efforts of UNODC and UNDP in strengthening the capacities of Somalia and States in the region in the areas of prosecution of suspected pirates and imprisonment of those convicted, both directly and through the Trust Fund of the Contact Group.

But despite these efforts and progress achieved, there is a long way to go. Piracy off the coast of Somalia remains an issue of utmost concern. While we take note of a declining trend in 2011 both in the number of attacks and in the numbers of hostages and ships held, the persistent threat of piracy and of armed robbery remains as grave as ever. Despite the decrease in instances of successful attacks, mainly as a result of the concerted efforts of the international community, the geographical reach of pirate operations now extends into the entire western Indian Ocean. This poses new challenges for those committing resources to combating piracy in that region.

The Security Council has long recognized the importance of prosecuting suspected pirates and imprisoning those convicted as an essential component of international efforts to combat piracy and to end impunity. We continue to hold the view that it must ultimately be in Somalia that pirates are prosecuted and imprisoned. The urgent establishment of adequate structures in Somalia, in line with the rule of law of human rights standards, is crucial to reaching that goal. The report of the Secretary-General is very useful in that regard, assessing the legal and administrative measures, as well as the international assistance necessary for realizing that objective.

We also join the Secretary-General in welcoming the joint efforts undertaken by the authorities of the Transitional Federal Government, Puntland and Somaliland, with United Nations assistance, to draft and agree upon legislation relating to piracy, prisons and prison transfers. We strongly urge the Transitional Federal Institutions to adopt such legislation before the end of the transitional period, as foreseen in the road map.

At the same time, it will be essential to continue and enhance support for the efforts of States in the region, in particular Seychelles, Kenya, Mauritius and Tanzania, to try and to prosecute pirates. As to the specific requirements of regional States, including international assistance, to be able to increase the caseload capacity of each of the jurisdictions concerned, we believe that the present report is a solid national-based needs assessment that provides an excellent basis for advancing the realization of that objective.

In that context we would welcome, in principle, the establishment of a regional prosecution centre to

act as a focal point for regional and international support for the prosecution of piracy suspects. We would support further study on that proposal.

Germany fully supports the recommendations contained in the report of the Secretary-General. In particular, we encourage all regional States that have not yet done so to conclude agreements with naval States and organizations for the transfer of piracy suspects. We urge States and the shipping industry to make further donations to the Trust Fund of the Contact Group, since those contributions are essential for enabling UNODC and UNDP to go ahead with the assistance as outlined in the report.

The report of the Secretary-General is an important step in enhancing international efforts to prosecute suspected pirates and imprison those convicted. We strongly call upon UNODC and UNDP to use the report as a basis for their further work in this area. In particular, information contained in the report should be taken into account when presenting projects to the Board of the Trust Fund of the Contact Group for funding.

Finally, concerning the idea of an extraterritorial Somali court in a third country in the region, as previously proposed by Special Adviser Jack Lang (see S/2011/30, annex), the Secretary-General's report again describes existing challenges with regard to the establishment of such a court. While we take note of those challenges, we believe that the option should be retained among the options at hand, since it could constitute an important element of support to a nascent Somali legal and judicial system.

I should like to conclude by reiterating Germany's strong commitment to continue constructive cooperation with partners in the Security Council and the Contact Group.

Mr. Mehdiyev (Azerbaijan): At the outset, I would like to thank the Legal Counsel and Under-Secretary-General, Ms. Patricia O'Brien, and the Executive Director of the United Nations Office on Drugs and Crime, Mr. Yuri Fedotov, for their briefings and the Secretary-General for his comprehensive report on specialized anti-piracy courts in Somalia and other States in the region (S/2012/50).

In its resolution 2015 (2011) of 24 October 2011, the Security Council determined that the incidents of piracy and armed robbery at sea off the coast of

Somalia constitute a threat to international peace and security in the region. The Council emphasized in that regard the importance of finding a comprehensive solution to the problem of piracy and armed robbery at sea off the coast of Somalia and decided to continue its consideration, as a matter of urgency, of the establishment of specialized anti-piracy courts in Somalia and other States in the region with substantial international participation and/or support.

We take note of the clarification contained in the report of the Secretary-General that the term "specialized anti-piracy court" should be understood to refer to a court operating under national law, with international assistance and with a focus on the prosecution of piracy offences.

We note different views of regional States as to the proposed establishment of an extraterritorial Somali anti-piracy court or a regional prosecution centre in a third State. Whatever the advantages offered by the possibilities mentioned, the consent of all regional States is an essential prerequisite for successful and effective anti-piracy cooperation.

It is encouraging that a combination of measures — including actions by naval forces, improved implementation of International Maritime Organization guidance and industry-developed best-management practices for protection against piracy, and the imprisonment of more than one thousand suspects or convicted pirates — contributed to a decline in the number of attacks and a reduction in successful attacks throughout 2011.

Apart from the mentioned actions, national efforts of the Government of Somalia and other regional countries, their commitment to combating piracy, their important prosecution roles and the measures they have adopted to effectively combat the spread of piracy should be commended. At the same time, it is important to ensure that national commitments are matched by strong support and assistance from the international community, including, inter alia, through contributions to the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia.

Furthermore, it is clear that a sustainable response to piracy off the coast of Somalia requires the re-establishment of peace, security and the rule of law in Somalia and social and economic development for the Somali people. International assistance to Somalia

remains crucial for overall success. Taking this opportunity, I would like to express Azerbaijan's support to the Transitional Federal Government of Somalia in its efforts to overcome difficulties, achieve reconciliation and build a secure, stable, united, democratic and prosperous nation.

Mr. Tladi (South Africa): I thank the Secretary-General for his report (S/2012/50) and thank the Legal Counsel, Ms. Patricia O'Brien, and the Executive Director of the United Nations Office on Drugs and Crime, Mr. Yuri Fedotov, for their briefings.

South Africa remains concerned at the continued incidents of piracy off the coast of Somalia. We have noted the continuing month-to-month decline in the piracy attacks in 2011 due to, inter alia, the presence of naval forces and implementation of industry-developed best management practices and International Maritime Organization guidance. We are hopeful that the trend will continue into 2012 and beyond.

The report before the Council raises important questions about further efforts of the international community to fight the scourge of piracy off the coast of Somalia, particularly in relation to the creation of specialized anti-piracy courts.

The first point that we wish to highlight with respect to the creation of specialized anti-piracy courts is the need to ensure national ownership in the establishment of such courts. The clearest reflection of national ownership is the adoption of national legislation, and in that regard we note the intention of the Somali authorities to exercise their sovereign right to adopt relevant legislation after the transitional period, when a newly elected parliament will be in place.

We have also taken note of the fact that the authorities of Somalia would prefer not to have Somali courts operating outside the territory of Somalia. The creation of specialized Somali courts in Somalia would, in addition to respecting the wishes of the Somalis, have the added benefits of capacity-building and infrastructure development. We are, of course, cognizant that the security situation in Somalia makes that a difficult prospect. But that fact should galvanize us to make a greater effort to address the security challenges and instability on land.

We also wish to highlight concerns expressed by a number of national authorities about the creation of

new, specialized anti-piracy courts with jurisdiction limited exclusively to piracy. Like those States, we are concerned that this may serve to redirect the limited prosecutorial and judicial resources from other crimes that are of equal importance to those countries.

Moreover, the wisdom of creating specialized courts, appointing prosecutors, judges and other staff to deal only with piracy must be assessed, taking into account the rate of prosecutions in the countries where such courts are being considered. The figures presented in the report of the Secretary-General indicate that since 2006 there has been a total of only 639 prosecutions in the countries concerned. In that regard, we concur with the assessment made in the report that prior to embarking on what could be a costly project, there should be an assessment of the anticipated caseload.

The third issue that we wish to highlight is one that is not addressed in the current report, namely, the problem of illegal fishing and dumping off the coast of Somalia. It is an integral part of the problems off the coast of Somalia. The issue is considered in the Secretary-General's report of 25 October 2011 (S/2011/661) and, for that reason, we can be fairly brief. Given the presence of so many naval vessels in the area, we find it difficult to understand how there can be the kind of dearth of information reported in the Secretary-General's report of October 2011.

We hope that, in the context of paragraph 24 of resolution 2020 (2011), those States and organizations with a naval presence in the area will provide the Secretary-General with the necessary information to enable the Council to take the matter further. If we fail to take decisive action in that regard, we risk creating the impression that the Council is willing to act to curb piracy only because the vital economic interests of some countries are threatened. Conversely, the lethargy in acting against the plundering of Somali resources could be construed as undermining the sovereignty and territorial integrity of Somalia, which the Council reaffirms in all its resolutions.

I wish to conclude with, perhaps, the most important point. Piracy off the coast of Somalia is a serious problem with huge implications. However, it remains a symptom of a greater problem, which is the instability and political challenges on land. The problem of piracy cannot be resolved until all the main challenges are confronted. According to available

information, over \$2 billion was spent in 2011 alone on naval presence — excluding, of course, the other costs that we have spoken about today — compared with a measly \$300 million that was approved for the support of the African Union Mission in Somalia in 2011. That is a picture that is out of balance.

Sir Mark Lyall Grant (United Kingdom): I thank the Secretary-General for his report (S/2012/50) and both Patricia O'Brien and Yuri Fedotov for their comprehensive briefing this morning. We are grateful for the work of the United Nations and its agencies on counter-piracy programmes, particularly the efforts being undertaken by the United Nations Office on Drugs and Crime (UNODC) and the United Nations Development Programme (UNDP) with States in the region and in Somalia itself.

The United Kingdom remains strongly committed to the fight against piracy. We believe that it is vital to break the piracy business model. We need a comprehensive approach that tackles piracy directly and its root causes on land. Piracy will be one of the main focuses of discussion at the London Conference on Somalia, which my Prime Minister will host tomorrow.

Despite the significant reduction in the number of successful attacks in the past year, the threat of piracy remains serious. We strongly support efforts to bolster prosecution and prison capacity in regional States and in Somalia. Several States already play a vital role in bringing suspected pirates to justice, supported by the international community.

The report highlights serious capacity constraints in Somalia. Prosecution by regional States has therefore been instrumental in efforts to counter piracy. We believe that that continues to be the most effective way to prosecute pirates over the short term. We support, in principle, the report's implementation proposals to increase capacity through specialized anti-piracy courts in Somalia, but continuing our work to build the capacity of regional States also remains essential.

The report reaffirms the preference of regional States that we should build capacity in a way that does not prevent facilities and expertise being used to prosecute in other areas of the law. We agree that that would help create a more sustainable solution to the piracy problem.

A long-term solution that would enable Somali pirates to be prosecuted and imprisoned in Somalia is necessary. The report notes the preference of the Somali authorities for new courts to be established within Somalia rather than extraterritorially. That approach is in line with the existing work of UNODC and UNDP to build capacity in Puntland and Somaliland. We fully support that approach.

The report rightly highlights the problem of limited prison capacity. In that regard, we welcome recent efforts to ensure that convicted pirates serve out their sentences in Somalia, in particular the commitments made by Puntland and Somaliland for post-trial transfer. We hope that agreement on the legal and practical framework for transferring pirates to United Nations-constructed prisons in Somalia is reached quickly. We are grateful for the commitment of the Seychelles to transfer convicted pirates to Somaliland.

We strongly support the work of the UNODC counter-piracy programme, including on the investigation and trial process, and its work to provide additional prison capacity. We call on all partners in the international community to work together to create a sustainable model for regional prosecution. We will continue to provide bilateral assistance on prosecution and prison capacity, as requested by regional States.

The Contact Group on Piracy off the Coast of Somalia is undertaking important work to explore the legal and evidential thresholds for prosecution, with the aim of increasing the number of successful prosecutions of suspected pirates. It is important that we coordinate that work as we move forward.

The threat of piracy, the effects of the famine in Somalia and terrorism are all symptoms of one central problem — the breakdown of the Somali State. Tackling piracy and its causes cannot be separated from that. We need to tackle the factors on land that feed piracy at sea, including deterrence, security, the rule of law and development. It is crucial that the international community mobilize in an integrated way. The United Kingdom provided over \$15 million in bilateral support for that agenda last year. Today, we have announced a further \$30 million for the stability of the Somali regions. We urge others to respond quickly and generously.

The President (*spoke in French*): I shall now make a statement in my capacity as the representative of Togo.

I thank Ms. O'Brien and Mr. Fedotov for their very detailed briefings on the issue of piracy, which remains a significant concern today, in particular in Somalia and other regions of the world. Furthermore, for that reason the Security Council decided to urgently consider the possibility of establishing specialized courts to investigate and try individuals suspected of piracy in that region, with the participation and/or crucial assistance of the international community.

My country, Togo, congratulates the Somali authorities and other States of the region on efforts to prosecute or imprison individuals suspected or found guilty of acts of piracy. My delegation thanks the various bodies of the United Nations system providing multifaceted assistance in order to build or strengthen the capacities of national courts to that end.

Togo also welcomes the fact that the number of acts of piracy noticeably decreased in 2011, according to the statistics of the International Maritime Organization. Such encouraging results stem from a combination of several factors, including, among others, the activities of naval forces patrolling the Somali coasts, better implementation of the guidelines of the International Maritime Organization, in particular the presence of armed men aboard merchant vessels, and the imprisonment of several hundreds of individuals suspected or found guilty of acts of piracy.

However, the finding that pirates now operate in the high seas at greater distances is of concern owing to their increasing frequency. That is why my country is very concerned about the fate of ship crews who are taken hostage and serve as human shields for pirates. Moreover, the fact that the number of trials in the world against acts of piracy remains low is a source of concern.

The review of the legal frameworks, the current capacities of specialized anti-piracy courts in Somalia, Seychelles, Kenya, Mauritius and Tanzania, and international assistance to those courts reveals several shortcomings, which are clearly described in the report of the Secretary-General under consideration (S/2012/50). Togo welcomes proposals for the establishment of anti-piracy jurisdictions in the region.

Within this general framework, my country recognizes the priority need for countries of the region to conclude agreements for the transfer of alleged pirates with States having vessels patrolling the zone. It is also critical for investigations to be undertaken and for individuals who fund, plan or organize piracy attacks off the Somali coast to be prosecuted and extradited. An adequate national legal framework, in line with relevant international instruments — including the United Nations Convention on the Law of the Sea — must be adopted by the Somali authorities so as to effectively bring to justice those suspected of committing acts of piracy.

My country encourages States and the maritime transport sector to continue to contribute to the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia. Similarly, Togo calls on all agencies of the United Nations system to provide multifaceted aid to Somalia and the States of the region so as to increase the number of trials, bolster penal capacity, and strengthen capacities to investigate and prosecute those accused of financing, planning or organizing acts of piracy.

Turning now to specific measures, Togo believes that assistance provided to States must depend on the particular needs of each. The proposals made by the Secretary-General in his report are relevant in that regard because they seek to provide the States concerned with an adequate legal framework and the material, human and financial resources commensurate with achieving the desired objectives.

My country calls on the Security Council to consider establishing anti-piracy courts in the States of the region and a regional prosecution centre. Togo remains convinced that such measures would contribute to deterring perpetrators of piracy in other regions, in particular the Gulf of Guinea.

I now resume my functions as President of the Council.

There are no further names inscribed on the list of speakers. The Security Council has thus concluded this stage of its consideration of the item on its agenda.

The meeting rose at 12.45 p.m.